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# Nigeria: Climate War. Migratory Adaptation and Farmer-Herder Conflicts

Temitope Edward AKINYEMI

Azeez OLANIYAN

**Abstract:** *Climate change and its impacts on the physical environment have received increased attention in recent years, spurring debates on its global and local dimensions. While a common ground has been reached on its causes, manifestations and options for mitigation, its human security implications remain poorly understood. Links between climate change and social conflict is one of the most controversial issues in the climate change impacts assessment literature as priorities diverge between generalised scientific validity (pedagogy) and context-based security analysis (policy). This paper examines climate change-conflict linkages drawing upon experiences of migrant pastoralists and arable farming host communities in Nigeria. It found a strong causal linkage between exposure to impacts of climate change and growing incidence of conflict over renewable natural resources. It recommends contextualised analyses of the linkage as well as the integration of climate-related conflict into Nigeria's security policy frameworks particularly, its climate change impact assessment and intervention strategies.*

Temitope Edward AKINYEMI  
Department of Political Science  
Faculty of the Social Sciences,  
Ekiti State University, Nigeria  
E-mail: te.akinyemi@ymail.com

**Keywords:** *Climate change, conflict, host communities, migratory adaptation, renewable natural resources.*

Azeez OLANIYAN  
Department of Political Science,  
Assistant Director, Institute of Peace,  
Security and Governance  
Ekiti State University, Nigeria

## 1. Introduction

Despite a sizeable body of literature on its diverse ramifications, climate change remains one of the most controversial issues in recent security discourse (Adano, Dietz, Witsenburg, & Zaal, 2012). While there have been major scientific breakthroughs in attempts to understand the nature, scope and implications of the phenomenon (IPCC,

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2007; Rose, 2010; Scientific American, 2008; Stern, 2007; Tompkins & Adger, 2004), many areas remain opaque to analysts. The implication of climate change for social and political systems, in particular, has been the subject of major debate over the years, confounded by a complex weave of diverse socio-political, economic and physico-ecological variables (Coetzee, 2012; Conley & Werz, 2012; Ide, 2015). Nonetheless, recent studies indicate an agreement among scholars that the phenomenon is not only real, but that it also portends serious threats to security with significant effects on social and political systems (Barnett & Adger, 2007; Conley, 2011; Stern, 2007). It also noted that associated impacts will vary in form and scale across different regions of the world, while poor regions are most likely to face its greatest security threats (Gleditsch, 2011; Joiner, Kennedo, & Sampson, 2012; Leary & Kulkarni, 2007; Liverman & Merideth, 2002).

The debate on the possible contribution of climate change to conflict is foremost among controversies generated by ongoing explorations of the social dimensions to its impacts (see Bauhaug, Gleditsch, & Theisen, 2008; Mearns & Norton, 2010; Raleigh, Jordan, & Salehyan, 2008). Scholars examining the climate change conflict discourse have looked at it from diverse angles. These range from a micro level analysis focusing on individual psychosocial behaviour (Anderson, Anderson, Dorr, DeNeve, & Flanagan, 2000; Anderson & De-Lisi, 2011), to intra-state conflicts (Abbass, 2011; Adano et al, 2012; Adekunle & Adisa, 2010; Buseth, 2009; Koubi, Spilker, Bo`hmelt, & Bernauer, 2014), and macro level analysis of inter-state conflicts (Bauhaug, 2010; Gartzke, 2011; Tir & Diehl, 1998).

An apparent dividing line in this debate pertains to motivating priorities under-guarding analyses among authors. This divide tends to split the discourse into two narratives, namely: security-driven i.e context-based, policy-oriented understanding of the climate change-conflict nexus, on one hand (Amobi & Onyisi, 2015; Black, Kniveton Skeldon, Coppard, Murata, & Schmidt-Verkerk, 2008; Downing & Patwardhan, 2003) and, on the other hand, pedagogy-oriented analysis which is aimed at building a universal explanatory theory on climate change-conflict linkage (Baechler, 1999; Kelly, & Adger, 2000; Cook, Tang, & Seidman, 2014).

These contentious priorities have evolved into three standpoints in the climate change-conflict nexus, namely: rebuttal, affirmation and complex causal association which underlies recent calls for contextualised analysis of the connection (Ide, 2015; Stojanov et al. 2014; Wolf, 2011). This study attempts an empirical examination of the climate change-conflict nexus by examining long-term climatic precipitations in the incessant conflicts between migrant Fulani herders and their arable farming host communities in Nigeria. The study draws on field study and key informant interviews conducted among the two groups across Nigeria's two geo-ecological zones – the North and the South.

The paper is divided into two parts: The first lays the theoretical groundwork, and draws a linkage between climate change and migratory adaptation. The second examines climate change vulnerability associated with agricultural practices, the dynamics

of migratory adaptation and migrant versus host community conflicts, with evidence from data generated through fieldwork.

## 2. Framing the Problem: A Relative Deprivation (RD) Approach

Relative Deprivation theory has proven to be highly useful in the analysis of social movements, rebellion and violence at individual, group and system levels (Guimond & Dube-Simard, 1983). Originating, according to Flynn (2011), in the work of sociologist Samuel A. Stouffer (1900-1960), it was first used in a study of soldiers in America after World War II, to describe how soldiers measured their personal successes by comparing standards attained in their operation units against those of other units in the military operation as opposed to broader standards in the armed forces in general.<sup>1</sup> As an approach to understanding broader social behaviour, however, it is often associated with Ted Gurr in his book *Why Men Rebel* (1970) in which he looked towards psychology in his attempt at understanding the contexts in which the occurrence of aggressive behaviour takes place (Gurr, 1968, 1970). Oberschall (1978) sums Gurr's Relative Deprivation theory thus:

[T]he basic precondition of civil strife, and that the greater the deprivation, the greater the magnitude of strife. Relative deprivation in turn is produced by a discrepancy between what people think they are entitled to and what they are actually getting. As deprivation increases, frustration and anger will ensue. These psychological states will produce aggression. At the level of aggregates, many aggressive acts and tendencies will produce civil strife (p. 299).

Relative Deprivation provides a theoretical loop from which vulnerability of individuals, groups and communities to environmental stress can be linked to the emergence of grievance-based actions against another group or target (Flynn, 2011).<sup>2</sup> According to Guimond & Dube-Simard (1983), the core argument of the relative deprivation theory is that "people protest and rebel against their condition not when they are deprived in an absolute sense but when they "feel" deprived relative to some other [objects of] comparison, persons or groups" (p. 526).

In understanding relative deprivation as a framework for understanding climate change-conflict linkages, one may situate the circumstances of pastoral farmers vis a vis their hosts in terms of access to, or struggle for resources as two comparative value positions in which one group seeks to out-gain the other as a result of scarcity (Olaniyan,

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1 Davis (1959) notes that original conceptualization of RD occurred in *The American Soldier* (3 volumes although the theory was never codified in the book described as 'informal'.

2 According to Flynn, "Social movement theory, which began in the late 19th century, refers to the study of social mobilization including its social, cultural, and political manifestations and consequences."

Francis, & Okeke-Uzodike, 2015). Highlighting the complexity of the social systems within which such contestations occur, however, Oberschall (1978) have warned that the transition from feelings of discontent and the occurrence of strife is mediated by a number of intervening factors which may either facilitate overt conflict or inhibit it.

### **3. Climate Change and Ecological Systems**

Much of the arguments concerning the links between climate change and conflict targets the developing regions especially in Africa and Asia, and focuses largely on its effect on renewable natural resources (Baechler, 1998; Buseth, 2009; Homer-Dixon & Blitt, 1998; Ide, 2015; Koubi, et al. 2014; Ngigi, 2009). Scholars argue that where a vast number of the population are poor and depend on natural resources for their survival, climate-related reductions in the supply of critical livelihood-supporting resources could trigger conflict (Barnett, 2003; Gleditsch & Urdal, 2002; Wolt, 2011). That goes to say that the vulnerability of people's livelihood due to ecological degradation which affects critical natural resources scarcity is an important loop to conflict. This is more so in Africa where the struggle for access and control of resources is critical to understanding conflicts (Gleditsch & Urdal, 2002).

Transition from exposure to the geophysical consequences of climate change to the incidence of conflict, especially in arid regions, is aided by such impacts as environmental degradation and desertification which comes with its corollary scarcity of essential resources particularly water and forage. Scarcity is defined by Bauhaug, Gleditsch & Theisen (2008, p. 7) as "a low per capita availability of a renewable resource, such as freshwater" which results from either, or both of two processes, namely: (1) "a dwindling resource base, and (2) increased demand for the resource through increased population pressure and/or increased consumption". Percival & Homer-Dixon (1998) argue that the relationship between environmental scarcity and violent conflicts lie in determining factors that are context-specific, and often include the "quantity and vulnerability of environmental resources, the balance of political power, the nature of the state, patterns of social interaction, and the structure of economic relations among social groups" (p. 280). All of these, according to them, influence how resources are used, the effects of scarcity on social systems and processes, the potential for scarcity engendering grievances, and the degrees to which violence may be aggravated.

Three forms of natural resource scarcity may result from environmental declines, namely: supply-induced scarcity resulting from the degradation and depletion of resources in an environment, demand-induced scarcity arising due to population growth in a given environment or an increase in per capita consumption of a particular resource causing an increase in its demand and structural scarcity which results from inequality in social distribution of a resource concentrating access to relatively few people. These result in resource capture and ecological marginalization (Percival & Homer-Dixon, 1998).

The scarcity-conflict nexus is widely acknowledged in policy circles. The former US Secretary of State, John Kerry, pointed out that ‘If we don’t respond adequately to the challenge of global climate change, over the course of these next years there will be people fighting wars over water and over land’ (U.S. Department of State, 2013, n. p.). Similarly, the United Nations’ Secretary-General, Ban Ki-Moon, observed that “competition between communities and countries for scarce resources—especially water—was increasing, exacerbating old security dilemmas and creating new ones with advancing desertification and sea level rise, both of which are reshaping the human geography of the planet” (United Nations, 2011, n. p). The importance of these alarms is already evident developing countries where natural resources are known to play critical roles in human migration and settlement (Brown, 2008; Laczko, 2010).

#### **4. Ecological Vulnerability and Migratory Adaptation**

Human migration runs through many studies on climate change-conflict literature as an important adaptation strategy in poor regions (Bronen et al. 2009; Conley & Werz, 2012; Hunter & David, 2011). Although the influence of climate change on human migration is a complex one in need of robust evidence (Bardsley & Hugo, 2010; Gomez, 2013; Gray & Bilsborrow, 2013; Piguët, Pécoud, & de Guchteneire, 2011; Raleigh et al., 2008), human migration is nonetheless widely acknowledged as a common strategy of adaptation when populations are confronted with adverse effects climate change under certain conditions (ACCES, 2010). The role of migratory adaptation as conflict trigger function derives from its implication for access to resources for both migrants and receiving communities (Brown, 2008; IPCC, 2007; Laczko, 2010; Scott, 1995).

Given the consensus that climate change will affect the quality of the environment where livelihoods are dependent on the natural environment, scholars argue that a reduction in the capacity of that environment to sustain human livelihoods will create new forms of displacement as people are likely to move from their original locations in search of livelihood (Black et al 2008; IPCC, 2007; McLeman & Smit, 2005; Myers, 2002; Raleigh et al, 2008). In this regard, it has been noted that

The destabilising effect of large-scale immigration must be considered in parallel with contextual factors in the receiving area. Conflict may arise when migrants, particularly those of a different nationality or ethnicity, move quickly or in large numbers to areas already suffering from tensions over access to scarce resources and where coping mechanisms are absent (ACCES, 2010, p. 19).

This according to Nordas & Gleditsch (2007) is because climate change worsens “the challenge of meeting key human needs such as adequate food, clean water, clean air, and adequate and affordable energy services” (p. 529). This linkage is clearly manifest in the Fulani pastoralist experience in Nigeria where increased degradation of the arid climate of the northern region poses increasing threat to the sustainability of pastoral livelihood.

## **5. Arable and Pastoral Agro-cultural Practices in Nigeria**

Nigeria's varied agro-ecological regions and soil types offer varying opportunities for the production of crops and livestock across the country. These regional differentiations in agro-productive traditions come with certain risks in recent times due to increased climatic and ecological pressure. This is more so, with high reliance of the agricultural systems on traditional tools and methods as Nigeria's agricultural production remains mainly at subsistence level (Enete & Amusa, 2010). As such, the majority of the small scale farmers operate under high exposure to climatic perturbations and uncertainties. Nomadic pastoral farmers in Nigeria have faced increased environmental pressure which affects the patterns of migration and competition for grass and water. As Adekunle & Adisa (2010) note, conflicts arising from herders' search for resources such as water, forage and land in host communities have remained the "most important" problem faced by Fulani Herdsmen in the course of tending their herds. This has brought about enmity between them and the host community mostly arable crop farmers.

The conflict of agricultural needs among farmers is indicated in the large size of herds and their ubiquity in different parts of the country. Highlighting the significance of pastoral farming in the sub-Saharan Africa region, Majekodunmi, Fajinmi, Dongkum, Shaw and Welburn (2014) noted that there were about 120 million pastoral herds-men globally. Of this number, about 50 million were to be found in sub-Saharan Africa, representing about 12% of the population in rural areas. Similarly, Nzeh (2015) noted that the Nigerian livestock production sub-sector accounts for about 25% of Central and Western Africa's entire livestock holding. There is also substantial cross-border movement in the Fulani livestock rearing trade, although the actual figures in inflow of herds has been difficult to assess. According to Nzeh (2015), Nigeria's cattle market has significant inflow from Niger, Mali, and Chad, with regular cross-border movement of herders and cattle during the yearly migration circles. Nigeria accounts for 50% of beef consumption in the ECOWAS region and imports over 25% of this to meet the needs of the rapidly increasing population.

In the Fulani pastoral farming ethnic group, the primary pastoral group numbers about 15.3 million, and are mostly found in the arid and semi-arid northern parts of the country. The lifestyle of the Fulani herders is significantly impacted by climate change in the long-run, and in the short-term, by yearly seasonal changes. Traditionally, the seasonal period of grass scarcity in arid northern regions usually implies more difficult access to feed for the herd during the dry season. This forces the herdsmen into a protective movement to the South which usually has higher wetness and vegetation at such times. Highlighting the pressure for migration caused by changes in the climate of herder communities, Aderinoye-Abdulwahab and Adefalu (2012) explain that "climate change such as desert encroachment makes grazing difficult. As most animal grazing is carried out in drylands, pastoralists and their families are usually affected by harsh



weather conditions such as droughts which have serious ecological and economic effects on rangelands” (p. 4).

## **6. Arable Farming Host versus Migrant Fulani Herders in Nigeria**

The southern region, consisting of the South-West, South-South and the South-East, has witnessed increasing conflict between herders and farmers in recent times. Although this form of conflict is not exclusive to the region, the dominance of arable nature of agriculture in the regions makes it inhospitable to unbridled migration of cattle farmers that are predominant in the northern region. This incompatibility thus provides a clear vista for understanding how environmental declines induce ecological pressures and how this may affect livelihood systems in far-flung areas.

It is noteworthy that the southern region has also not been totally immune to its own forms of exposure to the adverse effects of climatic change. However, this has been compounded by indirect consequences such as rising incidence of violent conflict and general insecurity occasioned by increased drought and desertification and outmigration from the northern region. This is because the southern region receives a larger influx of environmental migrants-migrant pastoralists, thereby forcing two contradictory natural resource user-groups into a tenuous system of cohabitation in the south. Fasona & Omojola (2005) noted that the effect of prolonged droughts across the northern Sudano-Sahelian region in the 70s, especially for the largely pastoral population, was a wave of ecological migration towards the South which translates to pressure on land and land resources of the Guinea savannah and rainforest zone by the Sahel-Sudan Hausa-Fulani tribe.

The intensification of long range southward migration explains the recurrent communal friction and conflict with the host communities across the southern Guinea savannah and rainforest belt. According to Azuwike & Enwerem (2010), the increase in the scale of conflict is a result of changes in the nature and frequency of nomadic transhumance in recent decades. Migration over the years, have been planned in tandem with seasonal considerations for planting and harvesting periods, the risk of violence have been minimal. Two patterns of pastoral presence are often noted in studies on pastoral migration and host community relations (see for example: Azuwike & Enwerem, 2010; Kratli, 2008; Kratli & Schareika 2010). These include: (a) transitory migration in which herders are a continuous movement of cattle dictated by seasonal characteristics and availability of forage and (b) sedentary movement in which there is either a permanent or semi-permanent relocation of herdsmen. While semi-permanent sedentary relocation often involves identifying an area for all-years-round grazing opportunities and the development of temporary huts until the need to move arises, increasing acclimatization to the environment and the cost of repeated resettlements has made permanent stays increasingly attractive to many herders.

While the first form of transit movement appears to have increased in intensity, extending into the planting season and thereby constituting a higher risk for the farmers' crops, the latter has increased in size and demand with claims to land and community rights emerging as new challenges to the host communities. More so, herdsmen grazing sojourn beyond the post-harvest season in arable farming areas has meant increased risks to damage crops in the planting season breeding conflicts as a result (Azuwike & Enwerem, 2010). Concerns also arise in some communities with the trend of pastoral-farmer militancy, as the herders increasingly adopt the practice of bearing sophisticated guns and arms rather than the herding staff, ostensibly for protecting themselves—a practice farmers often claim, was to make their resistance impossible or to overpower whatever resistance arises when Fulani cattle are left to wander into farms causing destruction of crops. Such transformations have altered the traditionally cordial relationship between the migrant and the host.

## **7. General Socio-demographic Background of Study Area**

Data was collected in four states, namely: Ekiti, Kwara, Oyo and Nasarawa states. Data collection consisted of 120 key informant interviews with clusters of respondents including farmers, herdsmen, local government administrators, traditional rulers and youths. A spatial observation and socio-statistical overview of communities examined in the study highlighted certain population characteristics.

Ages of farmers across host communities range between 18 to 70 years. Youths are in the majority at about 58% of the farming population. About 4% of youths interviewed are employed in the civil or teaching service and most combine agriculture with their employment. About 60% of the youth combine other jobs, such as commercial motorcycle transport or artisans, with farming while about 25% are involved only in agriculture. Nasarawa farmers have the lowest level of formal education among the four areas studied: about 75% of the farmers have no formal education and about 20% had attained primary school level with 5% had secondary education in contrast, for example, to Ekiti which has the highest level of formal education among farmers. Most food production activities in all the communities are done at subsistence level with significant presence of team-farming<sup>1</sup> among the youth.

Most native community youths engaged in the study are male, although it is noted that a substantial number of the females were also involved in farming. According to participants, most females often provide labour in support of the men assisting in planting, harvesting and processing of crops in household farms. Participants in Kwara and Oyo noted that there has been a reduction in the involvement of women and children and, by extension, their supply of labour input into farming due to rising insecurity in their farmsteads. The majority of the youth have formal education with a minimum of a junior secondary school certificate. About 2% are graduates of tertiary institutions, combin-

ing farming with civil service employment, and 30% are at various levels of education. On the other hand, about 10% of the herders attained education up to primary school certificate level. About 75% had Arabic education while 15% had no formal or Arabic education. About 20% of the herders are aged between 45 to 75 years, while the rest are aged between 12 and 44 years. There is a significant number of women and children in herders' settlements. Most households are large with sizes ranging between 8 and 14 and wives between 2 and 4. Cattle herding activities are taken up by men while the females oversee day to day processing of by-products such as dairy milk and growing of seasonal crops. Settlement history of sedentary herders interviewed range from 5 to 25 years.

## 8. Findings

### Climate Change and the Dynamics of Pastoral Migration

In order to understand linkage(s) between climate change and natural resource contestation in Efon-Alaaye in Ekiti, Iseyin/Shaki in Oyo, Udeni-Gida in Nasarawa, Nasarawa state and Oke-Ero in Kwara, Nigeria, the study probed intervening factors between primary vulnerability among herdsman and secondary vulnerability in host communities.

#### 1. Factors Motivating Pastoral Migration

Findings: Four factors were highlighted by respondents. These include environmental scarcity, environmental variability, population pressure, and other personal contingencies. These are presented in an order of significance.<sup>3</sup> Although its ramifications are understood in terms of geophysical, seasonal and inter-annual variability experiences, environmental decline and resource scarcity ranked as the most significant factor motivating southward migration among cattle herders (See table). The importance of environmental pressure to migratory decision is captured thus:

*We herders are often chased about by drought. It is often said that pastoral farmers have no home. We do have homes, but our profession forces us to move when we are confronted with drought. When we come to a place where the environment is conducive, we desire to stay. Many of us have become comfortable and prefer to stay permanently rather than migrating every now and then. There is a huge difference between here [Efon-Alaaye] and there [northern region]: the cows are feeding well here, and reproduce faster here than in the north where feed is scarce (PH5, Efon Alaaye, May, 2014).*

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3 Contingency-induced migration refers to those not directly relating to environmental or demographic pressures on each herdsman, for example the need to move because of other family members' migration.

Pastoral Farmers’ Perception of Factors Influencing North-South Migration<sup>4</sup>

S/N	Factors	EEA <sup>2</sup>	KOE	OS-I	NAS	∑	%
1	Environmental Variability	3	--	--	1	4	15.4%
2	Environmental Resource Scarcity	5	5	5	3	18	69.2%
3	Population Pressure	2	--	--	--	2	7.7%
4	Contingency Factors	--	--	--	2	2	7.7%
		∑				26	100%

Source: Authors.

As shown above, factors relating to observed environmental variability and decline in natural resource carrying capacity assessed over time accounted for 69.2% in herders’ motivation reference. As shown in the table above, the impacts of climate change as motivation for migratory adaptation is understood by herdsmen in terms of its effects experienced as inter-annual geo-physical declines in cattle-sensitive environmental resources. In comparison with seasonal change, herders demonstrate a proper grasp of inter-annual patterns in variability and are able to differentiate between seasonal weather changes and longer-term climate change. They are also able to recognize pressures from climatic changes as distinct from pressures arising from demographic increase population and herd holdings.

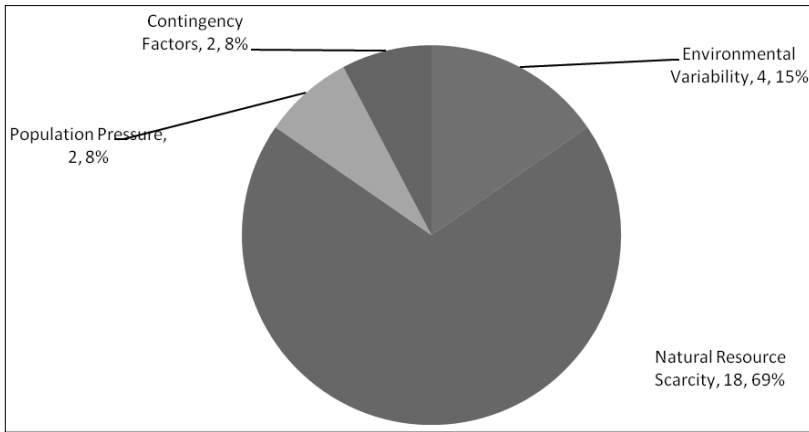
While respondents acknowledge the importance of demographic factors, majority affirm higher push pressures from increased levels of inter-annual environmental decline evident in prolonged drought and cattle-sensitive resource scarcity prior to migration from previous locations. One respondent puts it thus: *“I know that there is scarcity of grass because of longer dry season and increasing drought there [referring to Sokoto State in the northern region]”* (NAS PH4, June, 2014). Another herdsman explains that:

*At a point, during the dry seasons, streams remain the source of water, but in recent years, the dry season no longer leaves water in the streams. Same also applies to the grasses. That is the reason why we have to move to this area and I decided to settle permanently since I find grass with relative ease throughout the year* (EEA PH5, May, 2014).

This indicates that farmers recognize resource scarcity as one of the key consequences of observed inter-annual variability. The distribution of the causal agency in pastoral migration can be graphically summarized thus:

4 Abbreviation show state and local government areas where interviews were conducted and where responses in tables were obtained (EEA= Ekiti: Efon Alaye; KOE= Kwara: Oke-Ero; OSI= Kwara: Oke-Ero; and NAS = Nasarawa state: Nasarawa (Udeni Gida).

Factors Motivating Pastoral Migration



Source: Authors.

**2. Fault-lines in Herder-Farmer Conflict**

We analyze the observed causes of conflict between herdsmen and farmers as reported by herdsmen in order to see whether or not there are similarities in their understanding of tension points. The table also shows most significant causes in farmer-herder relationship in the study area. While 20% of the herdsmen reported no major conflict with farmers, 15% reported conflict relating to harassment, theft and assault on women, 65% reported conflict arising from resources, including encroachment of farms, damage to crops and competition for access to water sources. This shows conformity with theoretical narratives identified in eco-violence theory, as underlying resource competition, deprivation and frustration which results in aggressive behaviour. The table below shows response among herdsmen of underlying causes of conflict with farmers in their host communities.

Herders Perception on Patterns of Farmer-Herder Fault lines

S/N	Factors	EEA	KOE	OS-I	NAS	Σ	%
1	No conflicts	3	1	0	0	4	20%
2	Socio-cultural conflict	0	1	1	--	3	15%
3	Resource use conflict	2	3	4	5	13	65%

Source: Authors.

From the table above, resource-related contestations was identified as accounting for greater risks of conflict than socio-cultural differences between pastoral farmers and their host community. Fault lines identified relate to tension in the use of critical resources by herdsmen, on one hand, and the protection of those resources on the part of the community. A herdsman puts this rivalry thus: *“...they are friendly but you know*

*cattle are not humans, and no matter what you do with large herd, they will roam into peoples' farm when there are many farms around. That is where we often have problems"* (EEA, PH5, May, 2014).

Both sides identify some factors as specifically underlying grievances. For farmers, factors spurring conflict include encroachment of farmer's fields and destruction of crops by cattle, pollution of community's water sources by cattle, crop theft by herdsmen, alleged civil crimes, including harassment of community members by herdsmen, robbery and rape by herdsmen. On the other hand, herdsmen reported encroachment by farmers into allocated grazing reserves, blockage of access roads to water sources, cattle theft or poisoning. A head of a settlement puts strains in farmer-herder relationship thus:

*About the farmers, we have a problem which pertains to our cattle eating the farmers' crops. The other challenge which we also have is theft of our cattle. The natives shoot our cattle and drag them away to eat them. In this regard, I have lost up to 6 of my cows. But we always settle the issues because we also offend them too. Even when there are actual cases of stealing, they isolate the herdsman's involvement. Another problem relates to accusations that our cattle herders rob the community people. People pretend to be herders and then commit armed robbery on the highways so that the community will blame the herdsmen* (EEA, PCH, May 2014).

## **9. Systemic Factors in Farmer-Herder Conflict Transformation**

This section addresses the importance of socio-contextual and systemic factors including institutional processes, populations' economic circumstances, and adjudicative processes, in conflict transformation among vulnerable groups in the study area. Findings are narrative and presented in tables or graphically where applicable.

### ***1. Environment-dependency and Resource Contestations***

The patterns of economic activities in the rural communities show that subsisting levels of poverty and the range of opportunities available for survival in a given area significantly affects the chances of natural resource struggle among groups. All host communities studied had largely agriculture-based activities. In the absence of industrial or medium scale besides few elementary and school teachers, local government officials and petty trading kiosks, over 70 percent of adult males are engaged in farming. Almost all adults combine farming activities with other occupations such as teaching, artisans and commercial motorcycle transportation known in local parlance as 'Okada' or 'Ashaba'.

Studies have linked occupational displacement among farmers as one of the reasons for increasing number of commercial motorcycle transporters in rural communities. Some authors specifically link this trend to pastoral invasion. For example, Ofem & Bassey (2014) noted that the invasion of farmers' crops by Fulani cattle "has not only

created an impediment on the survival of the host communities, but has for instance led to crop-farmers abandoning farming for lesser occupations like Okada riding and other artisan vocations” (p. 513). The reliance of the population on agriculture heightens the stake in the event of crop damages and couples with the large presence of youths raise the risk of violence.

**2. Conflict Management Systems in Farmer-Herder Violence**

The effectiveness of conflict mediation systems in ensuring just and adequate mediation in conflict situations plays an important role in preventing the escalation of violent conflict among groups. Here we tabulate the conflict response preferences among two aggrieved groups: farmers and native community youths. It is noteworthy that most of the youths are also either currently involved, or recently involved in farming in most communities studied.

Strategies Adopted by Farmers in Addressing Conflicts

S/N	Approaches	EEA	KOE	OS-I	NAS	Σ	%
1	Recourse to Traditional Authority	5	3	4	3	15	37.5%
2	Recourse to State Authority	1	2	0	1	4	10%
3	Recourse to Associational Bodies	2	2	2	2	8	20%
4	Recourse to Self-Defence	1	3	4	4	12	30%
5	None	1	0	0	0	1	5%
Σ		10	10	10	10	40	100%

Source: Authors.

From the table above, a high number of affected farmers (30%) rely on self-help or self-defence measures. This is surpassed only by recourse to traditional authority which was preferred by 37.5% of the farmers. There is no doubt that self-help approaches that are not mediated by neutral and impartial adjudicators open the space to unpredictable outcomes including violence and subsequent counter-attacks. The preference for traditional authorities is apparently due to the perception of relative ownership of the system by the aggrieved farmers hence a higher level of trust regarding its perceived attributes including the sanctity and integrity of traditional adjudication, sensitivity to context, neutrality and effectiveness of traditional conflict mediators, most of whom are also farmers. The influence of traditional authority is significant in that most of the conflicts are settled at the local level and rarely extends to the attention of state administrative authorities except where conflicts have escalated into major violence. Perceived failure to do justice at this level, however, leads to a breakdown of confidence. The popularity of this institution notwithstanding, there is a notable decline in its effectiveness. This, according to Baca (2015) is a consequence of the changing political economy of power in the country. A major effect of this transformation is emergence of formal leadership at the local level.

When aggregated, the data obtained shows that 67.5% preferred third party mediation when contestation arose as against 35% which resorted to self-defence (30%) or did nothing (5%). This shows that institutions both at the traditional and formal levels still play important roles in conflict prevention and management. This institutional mediation factor is also seen in the variations in the propensity to violence in each of the areas examined. For example, farmers in both Ekiti (Efon Alaaye) and Kwara (Oke-Ero) recorded high indicators in the resort to third party mediation with 80% and 70% respectively. Correspondingly, both states (Ekiti and Kwara) also recorded low indicators on resort to self-help with 10% and 30% respectively. The high score recorded for institutional mediations also raises question about the effectiveness of such interventions as a popular option in conflict mediation among the population. Effectiveness determines the level of community confidence in the mediating institution, as well as the credibility of outcomes. It is the combined effects of these that reduced people's inclination to resort to self-help and violence, thereby preventing the escalation

## **10. Conclusion**

This paper examined the connection between climate change and violent conflicts. This linkage is re-visited against the backdrop of controversies surrounding the climate change-conflict discourse. The controversies stem largely from two competing priorities: the need for development of a universally valid theory on the climate change-conflict discourse, on one hand, and the need for development of appropriate policy response in specific contexts of vulnerability, on the other. In view of the important role socio-economic and political contexts play in the climate change-conflict transformation process (Wolf, 2011), we contextualized the linkage by examining the contribution of climate change to the growing incidence of farmer-herder conflict in Nigeria.

Viewed from a Relative Deprivation theoretical prism, the study identified natural resource scarcity, migratory adaptation and resource struggle in host communities as important causal trajectories in conflict transformation. From the study, it is evident that under certain conditions, the demographic and ecological pressures resulting from climate change aggravates livelihood constrictions and struggles among individuals and groups that may escalate into violence or lead to the escalation of existing conflicts.

As shown in the data analysis presented, climate change ranks as the most significant factor accounting for changing patterns of pastoral migration in Nigeria. Given the predominance of arable farming in the southern region, the combined effects of exposure to climate-induced declines in natural resources relied upon by herders in the arid and semi-arid regions especially in the North, often give rise to migratory adaptation which in turn leads to competition over access to, and control of these resources in host communities. The conflict trigger effect of cattle encroachment and destruction of farmers' crops on one hand, or cattle theft and related losses among herders on the other hand,



results in a frustration-aggression scenario among both groups which account for the rising incidence of violent conflict in recent times. We conclude, therefore, that climate change is a remote causal factor in violent conflict between farmers and herders over natural resources in Nigeria. The paper submits that future exploration of the climate change-conflict linkage need to be situated within specific socio-cultural, economic and political context in order to yield policy-relevant findings. As the Nigerian case shows, the nature of the social, economic, cultural and political contexts play a defining role in attenuating or aggravating conflict transformation, hence the need for the Nigerian state to contextualise its climate change impact assessment and adaptation intervention strategies.

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# Somalia: Making Human Rights Central to the State Rebuilding

Dr. Ahmed Ali M. KHAYRE

**Abstract:** *Somalia has been without any effective, central government for the last two decades. The UN Commission on Human Rights stated that “without a central administrative structure, it is not possible to lay down the foundations of a permanent program of human rights for Somalia”. On the other hand, there is a widespread consensus that, for a functioning central authority to be constituted, human rights protection should be made central to all attempts. Admittedly, it seems that the current effort to rebuild the collapsed state of Somalia is geared towards restoring a ‘minimalist’ state that can restore law and order without further thinking about the contextual circumstances and actual reasons, particularly human rights violations, which led to the collapse in the first place. This paper argues that it makes no sense rebuilding the same abusive state institutions. The argument proceeds in three stages. Firstly, it critically analyses the previous failed endeavours that tried to recreate the old order, without human rights components being implemented in the process. Secondly, it examines the role of human rights in creating a legitimate authority that can adequately protect human rights of the citizens. Finally, this paper suggests ways to embed human rights into all facets of state rebuilding.*

**Keywords:** *Human Rights, Somalia, State Collapse, Humanitarian Law, Africa, Horn of Africa.*

## 1. Introduction

Prior to the adoption of the United Nations Charter, the international law, by and large, concerned only international relations between sovereign states. The treatment any state accorded to individuals under its jurisdiction was left to the discretion of the state and its domestic laws and it was largely considered an internal affair of the sovereign country (Reisman, 1990, pp. 866-876). In that connection, human rights were recognised as a subject “not, in prin-

Dr. Ahmed Ali M. KHAYRE  
Human Rights and Humanitarian Law  
Researcher  
E-mail: ahmedakhayre@gmail.com

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ciple regulated by international law". In view of that, the Permanent Court of Internal Justice held in that context, "the jurisdiction of a State is *exclusive* within the limits fixed by international law," and in consequence "[a]s regards such matter, each State is sole judge" (Nationality Decrees Issued in Tunis and Maroco, Advisory Opinion, 1923).

The situation became much more complicated after the Second World War in comparison with the previous periods. The changes to international law with respect to the treatment of individuals are sometimes known as the "Nuremberg principles" because they were initially developed during the Nuremberg trials that followed the Second World War (Nash, 2009, p. 38). According to Kate Nash (2009, pp.2, 3), this principle influenced international law in two ways. For a start, it was no more acceptable to hide behind the orders of the superiors, thus every individual is accountable for the contraventions of international humanitarian law. Secondly and perhaps more significantly, human rights defenders became concerned with how citizens are treated within state jurisdiction. Nash argues that "it is only with collusion of state agents that human rights are violated, and only states can secure and enforce within their own territories".

Human rights, arguably "has become a signal indicator for whether states are working in a post-conflict or international setting" (Ignatieff, 2005, pp. 59-75). Ignoring human rights protection in the attempts to reconstruct the Somali state made the situation more complicated. The following Somali adage is relevant in this case: "*xaajo haddii lagu heshiin waayo waxaa ka maqan ama kusaa'id ah arrin*", roughly translated it means "if parties to a conflict cannot agree on an issue, either there is something missing from the agenda or something irrelevant in it". There are a lot of things that have been missing from the peace and reconciliation conferences organised for Somalia, but I suggest that the most fundamental thing that was neglected was the embedding of human rights norms into all aspects of state-building from the start.

This paper investigates the attempts to make human rights prominent in countries that are rebuilding without effective central governments and analyses the case of Somalia. The key conceptual issues pertaining to the role of human rights in state reconstruction are explained and then human rights protection with regard to the broader undertakings of state reconstruction and peace-building are considered. Similarly, this paper examines how to ensure the embedding of proper human rights accountability mechanisms in all attempts to rebuild collapsed state institutions.

## **2. Efforts to Reconstruct the Collapsed State of Somalia: The Missing Link**

In general, two different phases can be identified with respect to the efforts aimed at reconstituting an effective central government in Somalia. In the first decade after the collapse of the central authority from 1991-2000, there had been no government, no representation in the international fora, not even a nominal government. The seats of Somalia in international organisations where Somalia was a member remained unoccu-

pped (Sahnoun, *Prevention in Conflict Resolution: The Case of Somalia*, 1994). However, after the year 2000, when the first Transitional National Government was established, there have been feeble transitional governments. Although recognised by international and regional organisations as “legitimate” governments, these transitional governments have not had control over Somalia outside parts of the capital city (ICG, 2011). In that respect, when the first transitional government was established in 2000, “no government structure, such as a civil service, has existed in Somalia for more than a decade. The TNG inherited no personnel, buildings, archives, forces of law and order or tax-collecting capacity” (UNSC, 2001)”.

However, the attempt by external mediators to find a durable solution for the Somali crisis was complicated from the outset by lack of understanding of the complexity of the situation. As Mohamed Sahnoun, UN Secretary-General’s Special Representative for Somalia observed during the early stages of the conflict, “[t]o look for quick fixes as political solutions, without taking into account the local realities is nonsense”. According to his informed opinion, “people in New York who knew nothing of the realities in the field make hasty and uncalled for decisions and persist in having them implemented, despite evidence of mismanagement and strong objection of the people in the field” (Sahnoun, 1997).

Even though human rights violations have been ongoing in many parts of Somalia unabated for over a decade, in 2004 the independent expert on the situation of human rights in Somalia, Ghanim Alnajjar, sounded an overly optimistic note on the overall human rights situation in Somalia. He confidently proclaimed that “[t]he past year has been marked by continued efforts towards political stability as well as the persistence of distinct variations between regions in the observance of human rights” (UN Commission on Human Rights, 2004). Strangely enough, the names of the individuals consulted by the independent expert in his various visits to the country as well as to neighbouring countries included the names of prominent warlords who were accused of human rights violations.

Equally, after the conclusion of the Somali peace process in Nairobi in 2004 and the establishment of the Transitional Federal Government of Somalia, the independent expert on the situation of human rights in Somalia, Ghanim Alnajjar, observed that the outcome of the conference indicated “a cautious optimism for peace and reconciliation for Somalia” (UN Commission on Human Rights, 2005). However, the optimism seemed to have been a short-lived one. Even though the independent expert recognised the link between human rights observance and the attainment of peace and stability when he “encouraged the international community to support the Transitional Federal Government and Somali civil society in the critical human rights work that must occur if peace and security are to prevail in Somalia” (UN Commission on Human Rights, 2005). Nowhere in the report is the role of the current leaders in past human rights violations



mentioned or discussed. It seems as if the past activities of these “leaders” bear no relevance to the present and future endeavours.

However, as Amnesty International observed: “[b]uilding respect for human rights cannot be solely dependent on the complex and lengthy process of peacemaking, although peace between the armed groups is clearly essential for reconstruction” (Amnesty International, 1995, p. 6). In another vein, Amnesty International articulated that there is an intrinsic interplay between the protection of human rights and the quest to achieve peace. In that respect, any peace “agreement should incorporate specific human rights guarantees and should contain effective implementation and monitoring mechanisms to ensure that human rights are respected and promoted” (Amnesty International, 1995). Amnesty International emphasises the importance of the “commitment by all parties to respect and promote human rights and humanitarian standards”. However, the organisation realises that the pledges of faction leaders are worth little, because “[a]ll the Somali political organisations have made nominal and ‘paper’ commitments to peace, reconciliation and human rights in various conferences and peace agreements signed by their leaders” (Amnesty International, 1995, p. 13). The same individuals and their supporters were continuously invited to attend the next reconciliation conference without having seriously been questioned on their willingness to end the conflict. The reasons for their failure to abide by the previous commitments have not been investigated or ascertained.

There is a general consensus that human rights protection and the improvement of the human rights situation of any particular country plays a vital role in “preventing the escalation of conflict into serious violence, as well as establishing a basis for long-term stability and development” (Hannum, 2006, p. 5). In the case of Somalia, almost all the accords reached by the faction leaders gave warlords the mandate to construct a legitimate authority. It is claimed both by the international mediators and the warlords that these agreements would establish human rights-based institutions. In effect, this endeavour amounted to what one commentator called, in another context, “warlord democratisation” (Khayre A. A., 2016). This proposition is contradictory because it claims that human rights are priority, while at the same time empowering the same individuals accused of perpetrating heinous human rights violations (Khayre A., 2014).

Increasingly it is widely acknowledged that the provision of security is the most primary pillar in peace-building efforts, and at the same time the “building or rebuilding of public institutions is key to sustainability” (Samuels, 2006, p. 2). In fact, it is through state institutions that the future conflicts can be managed and perhaps recurrences of violence can be avoided (Samuels, 2006, p. 2). As the experiences in many post-conflict countries vividly demonstrate, silencing the guns without “modification of the political environment” will probably be unsuccessful, no matter the amount of external assistance and encouragement (Samuels, 2006). Furthermore, as Krishna Kumar observes,

“rebuilding institutional infrastructure shattered during conflict is as important, if not more important than physical infrastructure. It is an area which has largely been overlooked by the international community in the past” (Kumar, 1997). The implementation of human rights requires a political reconstruction of the country. As the Commission on Human Rights recognised: “until such reconstruction, it is difficult to see how any human rights programme can be implemented effectively” (UN Commission on Human Rights, 1994, p. para.26). In that respect, human rights should be given a prominent position in the efforts to end the conflict because “the human rights dimension signals a fundamental change in the nature of the state” to be reconstructed (Shabas, 2007, p. 48).

### **3. Human Rights Dimension in Reconciliation Attempts and Peace Agreements**

In general, the fundamental purpose of international “peace-building” is to create a peaceful environment where fears of returns to the violent past are eliminated or at least substantially reduced in societies emerging from devastating civil warfare. The former Secretary-General Kofi Annan defines the term “peace-building” as “actions undertaken at the end of a conflict to consolidate peace and prevent a recurrence of armed confrontation” (Annan, 1998, p. para. 63). The situation appears observably much more precarious in fully collapsed states like Somalia, where all the central state institutions are entirely ruined and almost everything needs to be started from scratch. As Lederacht argues, achieving peace requires “long-term commitment to establishing an infrastructure across the levels of a society”, which “empowers the resources for reconciliation from within that society and maximises the contribution from outside” (Lederacht, 1997, p. xvi).

Additionally, the achievement of physical security and stability is the first of many challenging steps. In fact, sustainable peace and stable governance structure can only be put in place if functioning and effective state institutions are re-instituted and the newly constituted state is capable once again “to mediate effectively between distrustful ethnic groups, and the parties slowly gain confidence in the safeguards contained within their new ethnic contract” (Rothschild, 1998, p. 349). The best way to do that is to establish state institutions based on the rule of law, and at the same time be accountable to the general public. With respect to the inclusion of human rights language in the peace agreements, as Hannum observes:

The manner of implementation and the commitment of both the international community and national actors to that implementation are likely to be more important than the language in an agreement- although the latter at least creates the expectation that human rights concerns will be addressed in the immediate post-settlement period (Hannum, 2006, p. 44).

To be sure, after years of deadly conflict, signing a peace agreement or a military victory by one of the warring factions is merely the beginning. In fact, the silencing of guns

presents “a new set of opportunities that can be gasped or thrown away” (Rothstein, 1999). More often than not, the success and failure of such processes is contingent upon how the post-conflict transition is managed. In order to prevent violent conflict from recurring, it is essential to somehow address the root causes of the conflict, not merely “surface manifestations such as the military culture and proliferation of weapons” (Rothstein, 1999, p. 224). In view of that, “the process of peace-building calls for new attitudes and practices: one that is flexible, consultative and collaborative and that operate from a conceptual understanding of the root causes of conflict” (Spence, 2001, p. 137).

It is evident that, without institutional reform and the creation of a human rights-based governance system, including robust monitoring mechanisms and empowering rights institutions, human rights clauses alone will be insufficient (Hannum, 2006, pp. 46,47). Furthermore, some evidence seems to suggest “the formal enumeration of human rights provisions in settlements correlates only weakly, if at all, with the quantity and quality of human rights protection during and after peace implementation (Putnam, 2002, p. 238). As Stedman notes:

All too often in the 1990s international and regional organizations were sent to implement peace agreements in extremely challenging environments where no major state possessed a security interest. When implementers were challenged, the mission failed, usually with catastrophic consequences (Stedman, Rothchild, & Cousens, 2002).

According to Brahimi (2007), when violent conflict erupts in a country, it is usually difficult to obviate the downward trajectory satisfactorily. International efforts to help end the conflict and establish peace and sustainable stability is often insufficient. In general, there are two recurring limitations that might negatively influence the situation. First, “insufficient knowledge and understanding of local and regional conditions is one; the other is the low priority given by international players to the rebuilding of national institutions”. In effect, although the assistance of the international community can help conflict marred societies to end hostilities, “experience indicates that any state-building intervention will be sustained only through national structures” (Brahimi, 2007, p. 5).

In the Somali context, the United Nations frankly admitted that any gains made on the humanitarian front by the United Nations or other donor countries will amount to nothing and will not positively change the extremely fragile situation, ‘in the face of continuing insecurity and in the absence of a structured indigenous capacity’ to deal with the different challenges associated with societies affected by the prolonged conflict (UNSC, Further Report of the Secretary- General on the United Nations Operations in Somalia, 1994, p. para.3). Equally, any other achievement in the absence of legitimate state authority will probably be a temporary one.

The United Nations invested a lot of resource in an attempt to rebuild state institutions in Somalia during the UNOSOM II period in the early 1990s. In that regard, the Secretary-General reported to the Security Council:

[p]rogress is being achieved in the rebuilding of institutions, especially the police and the judicial system. These achievements are grounds for hope that the Somali people can resume normal lives after the hardship that they have suffered over the last several years (UNSC, Further Report of the Secretary-General on the United Nations Operations in Somalia, 1994, p. para.54).

In the same report, the Secretary-General stated, “there has been a significant deterioration in the security situation, especially in Mogadishu, due to the resumption of inter-clan fighting and to a further increase in banditry” (UNSC, Further Report of the Secretary-General on the United Nations Operations in Somalia, 1994, p. para. 54). This demonstrates the importance and the necessity of creating political consensus and a legitimate authority before any rebuilding of institutions is undertaken. Any attempt to rebuild institutions will probably be futile in the absence of a legitimate national authority.

#### **4. Rebuilding the Old System or Starting from Scratch?**

Once the guns are silenced after prolonged political violence, for the attained relative peace to be sustainable in the long-term, the hard work to create human rights-based governance should start as soon as practicable. As Katoboro suggests:

The solution lies in restoring (creating new) practices and institutions such as a new democratic constitution based on separation of powers, and checks and balances; holding elections based on political party competition. Autonomous bodies such as human rights institutions, electoral commissions, a vibrant civil society, a multiparty system, a strong constitutional court, and an open, free critical mass media will strengthen the organs of a re-emerging State (Katoboro, 2003, p. 3).

Furthermore, there is an obvious link between the extent of the collapse of state institutions and the challenges encountered in restoring political order. However, there might be a silver lining amid all the challenges and difficulties caused by state collapse. Beyond this seemingly irresolvable puzzle, there might be an:

opportunity to start from scratch without encrusted obstacles of the *ancien regime* attitudes, red tape, bureaucracy, and conservatism. It provides the opportunity for policy makers to be creative and innovative in rebuilding democracy and good governance in their countries (Katoboro, 2003, p. 8).

In almost all attempts to reconstruct the collapsed state of Somalia, it seems that there has only been one strategy which involves recycling the old regime, minus the president

and other senior officers, with a few negligible cosmetic alterations. Evidently, that has miserably failed to allay the fears of the general public and communities that another predatory system dominated by one clan will be put in place. As Salman Ahmed points out, “for peace to be self-sustaining the reconstruction process cannot be predetermined by generic templates and arbitrary time-frames; it must be shaped by the aspirations and deliberations of the men and women who will live with the results” (Ahmed, 2005, p. 169).

Given the fact that disrespect for the rule of law and lack of legal mechanisms to deal with the grievances of the citizens is deemed to be one of the root causes of the armed conflicts around the world, it is imperative to make sure that national institutions are capable of responding adequately and peacefully to the complaints and injustices before they cause violent conflict (UNSC-UNGA, 2003, p. para.18). According to the United Nations, “[r]espect for human rights and the rule of law are necessary components of any efforts to make peace durable” (UNGA-UNSC, 1998, p. para.72). Obviously, silencing the guns and creating a relatively stable environment is not enough to build sustainable political order in collapsed states. However, “Even in those instances where security is established, state-building has largely resulted in cosmetic political change and created weak, unstable, or even criminal states”. In the former President of Liberia’s words: “The state we produced turned out to be a criminal state, legitimized by elections” (Samuels, 2006, p. 4). Regrettably, it seems this is what has been unsuccessfully attempted in Somalia.

Predictably, sometimes it is counterproductive to rebuild the old oppressive institutions, particularly when “Previously existing governance structures have been shown to be contributors to state fragility or failure in cases where they promote social, ethnic and/or economic exclusion and inequalities; ignore human rights; abuse the rule of law; engage in corrupt practices, etc” (Brinkerhoff, 2005, p. 11). Somali leaders explicitly proclaim their desire to bring back the pre-1991 governance system and its institutions, for that system is associated with peace and stability. However, these individuals perilously ignore the dominant role of the previous government institutions and leaders in state collapse. The police and military forces of the last military government were predatory, oppressive and corrupt. As Bruce Baker observes in another context “[s]imply changing the structure of organizations rarely affects operational behaviour, because it does not alter what the employees themselves think is expected of them” (Baker, 2006, p. 34). In Somalia, all consecutive governments established after the implosion of the central government in 1991, former military and police officers were called back without any vetting process and irrespective of their past records. Likewise, other individuals who occupied prominent positions in the last military government are still calling the shots. It is no wonder that citizens distrust the security forces and other government agents. It is against this backdrop that the attorney general of the country characterises the

central prison in the capital as a “concentration camp”, referring to the way the prisoners are treated.<sup>1</sup>

It seems that more importance is attached to order and stability “even when the prevailing order is unjust”. Furthermore and perhaps more importantly, “this emphasis on order and stability clearly serves the interests of Western powers concerned about international insecurities stemming from drug trafficking, terrorism, or internal armed conflict abroad” (Call, *The Fallacy of the ‘Failed States’*, 2008, p. 1496). If the emphasis is blindly and narrowly put only on security without taking human rights into consideration, then it can lead to legitimising warlords and other human rights violators. Given that the state institutions were predatory, corrupt and grossly mismanaged the daunting challenge for state rebuilding in such circumstances is how to create a strong, legitimate and effective state. As Richard Caplan notes: “to be legitimate the exercise of authority also requires mechanisms of accountability” (Caplan, 2004, p. 61).

It may be pointed out that attempts and policies solely focusing on security aspects mostly ignore the need not to reincarnate the authoritarian state but to build a new human rights-based state where the protection of the rights and dignity of the citizens are made central. Along the same line, a report compiled by a United Nations commissioned High-level Panel persuasively acknowledged the necessity to look beyond security paradigms when rebuilding states and wrote: “[a]long with establishing security, the core task of state building is to create effective public institutions that, through negotiations with civil society, can establish a consensual framework for governance within the rule of law”. The UN report put further emphasis on the importance of making the protection of human rights central to all the policies aimed at state building and stated:

Relatively cheap investments in civilian security through police, judicial and rule-of-law reform, local capacity-building for human rights and reconciliation, and local capacity-building for public sector service delivery can greatly benefit long-term peace-building. This should be reflected in the policies of the United Nations, international financial institutions and donors, and should be given priority in long-term policy and funding (UN, *Report of the Secretary-General’s High-Level Panel on Threats, Challenges and Change- A More Secure World: Our Shared Responsibility*, 2004, p. para.229).

Nevertheless, it is not as straightforward as it seems at first glance. It is necessary to ensure the centrality of human rights to the efforts to reform or rebuild state institutions; otherwise it may lead to empowering the wrong people and unintended perpetuation of human rights abuses. Furthermore, and more pertinently, pursuing narrow security objectives can be damaging to the future prospect of establishing a self-sustaining state

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1 See, <https://www.youtube.com/watch?v=8mQ3ZdEZzD0>

based on human rights. As Charles Call aptly observes, “state-building can jeopardise peace, and contribute to insecurity and group tensions”. Undoubtedly, the situation is much more precarious “[W]here external donors provide resources to corrupt, predatory central governments in the name of strengthening their institutions, state building only advances abusive authority and fuels sentiment and armed resistance” (Call, *The Fallacy of the ‘Failed States’*, 2008, p. 1499).

As Brahim points out, to construct a state “there must be consensus on the type and shape of the state to be built and agreement between all parties as to the process that will be used to create the state” (Brahimi, 2007, p. 7). As the experience of complete collapse of state institutions in Iraq after the removal of Saddam Hussein abundantly demonstrates “the provision of order is intimately linked to the much longer-term project of building a sustainable, efficient and representative state” (Dodge, 2005, p. 707). However, the pertinent question is: is it enough to return to the old status quo or is more needed to construct a new credible entity? As the experience in Somalia for the last two decades painfully shows, recreating old abusive state institutions will not be enough to achieve sustainable peace, security and enhance the observance of human rights standards.

### **5. Constitution Making in Somalia: Continuously Reinventing the Wheel**

As experiences elsewhere in post-conflict situations demonstrate, creating a legal framework “within which law enforcement and judicial institutions could operate” is the first step (Strohmeyer, 2001, p. 173). Without a clear legal framework and judicial personnel appointments, the workings of the police, judges and prisons will be hampered (Strohmeyer, 2001). In Somalia, during the military government, the country was ruled through a combination of presidential decrees, emergency laws and personal whim. However, before the military took over, the country had a popularly approved constitution adopted in 1960. In fact, during nine years of civilian democratic rule from 1960-1969, the 1960 constitution had been the law of the land and there was a clear separation of powers.

After the collapse of the central government, the Somali people had a choice: to use laws that existed prior to the military coup of 1969 or to create new applicable laws. Obviously, there are challenges associated with both choices. For instance, there are insufficient personnel with knowledge of the previous laws or expertise in enforcing or creating new ones. If properly conducted, the process of constitution making “can provide a forum for the negotiation of solutions to the divisive or contested issues that led to violence” (Samuels, 2006, p. 5). Institutional reform is essential in the reconstruction of collapsed states like Somalia. Most often, abuses of power and incompetent governance lie at the heart of the state collapse and to obviate these problems “structures must be established in order to re-legitimise state power and make the peaceful management

of conflicts possible" (Baechler, 2004, p. 7). Constitution making is a tremendously significant part of state reform after devastating conflict. However, constitutional reform alone will probably not be sufficient. After a protracted civil war, the security sector is entirely in ruins. The reconstruction and reform of the security sector is indispensable for any future political dispensation to be functional.

It is not enough to reconstitute the state's monopoly on violence, but this power ought to be "supported by appropriate political and democratic controls" (Baechler, 2004, p. 16). In addition, as Kenneth Bush observes: "status quo *ante bellum* is rarely a desirable state of affairs, and in most cases years of violent conflict and profound changes in the international political economy have destroyed any chance of returning to the status quo" (Bush, 1997, p. 2). Brahimi advises, "[c]onstitution-drafting should be closely linked to the peace-process, must not be rushed, and should be carefully aligned with existing legal provisions" (Brahimi, 2007, p. 4). Surely, "[t]o build a state, there must be consensus on the type and shape of the state to be built and agreement between all parties as to the process that will be used to create that state" (Brahimi, 2007, p. 7).

The Somali people have had little say in deciding what kind of governance system best suits their country and its population. For example, the neighbouring countries and their negotiators pressured their client warlords to adopt a federal system of government without any meaningful discussion on its merits, focusing solely on power sharing or what some commentators call a "division of spoils" (Hart, 2003). The result is a provisional constitution that is likely to create new problems in lieu of solving existing ones. The reason is that, as Afyare Elmi points out, the constitution making process was "fundamentally flawed because political expedience, secrecy, exclusion and hastiness mar [red] the mandate and selection of the commission members and the drafting of the document..." (Elmi, 2012).

As Jamal Benomar notes, in another context, "Constitutions produced without transparency and adequate public participation will lack legitimacy" (Benomar, 2004, p. 89). Nevertheless, "the formalized division of power along identity or ethnic lines appear to entrench the ethnic and divisive positions that have fuelled the conflict, rather than ameliorated them" (Samuels, 2006, p. 13).

By and large, constitution-making in post-conflict countries go through two stages. The first step is to draft a provisional charter "to delegate the formation and operation of an interim authority". The second stage is "to draft and adopt a more permanent constitution and to hold democratic elections". Experience, elsewhere in post-conflict countries in Africa, show that the choice of most countries had been to draft a new constitution (Uganda, Ethiopia and Mozambique) (Katoboro, 2003). However, even though new constitutions full of human rights provisions are drafted and adopted, most of these countries are ruled by authoritarian regimes with little respect for the rule of law.



In Somalia, after more than a decade of the existence of a transitional government and charter, no real attempt has been made to rebuild the judicial system. Practically, there are no national courts of the first instance or appellate courts to say nothing about a constitutional court. In 2011, on constitution making efforts in Somalia, the Secretary-General stated: "[t]he Somali Constitution Process is essentially about reconciliation, peace-building, and nation-building. The process must reconcile and unite the Somali people in a common cause" (UNSC, 2011, p. para.43). Since the collapse of the central government in 1991, three interim charters have been crafted. At the time of writing, a provisional constitution is in place and the plan is to be approved by a popular referendum in 2016. Given the security situation of the country and the divisions between different groups, it is unlikely that it will be adopted in that manner. A selected group of citizens representing different regions may be asked to adopt the constitution. For the new constitution to become living document state institutions must be rebuilt and empowered and new leaders should be serious about the implementation of its provisions.

## **6. Human Rights Guarantees in the Somali Constitutions**

Generally, the inclusion of human rights clauses in the drafted constitutions is seen as a step forward in the protection and promotion of human rights. However, as experience in Somalia demonstrates, if the constitution making is not accompanied by state reform and implementation, the provisions in the new constitution remain just words. Furthermore, empirical examinations demonstrate that there is no sufficient evidence to indicate that inclusion of human rights provisions in the constitution "produced an observable improvement on human rights behaviour" (Keith, 2002, p. 134). In Somalia, two Transitional Charters and the current provisional constitution have been drafted since the collapse of the central government in 1991. Let us now turn to the human rights provisions in these charters.

In its preamble, the Transitional National Charter adopted in 2000 recognises "the gross violations of human rights inflicted upon the Somali people and the need to re-establish peace, democracy, the rule of law, social justice, the dignity and integrity of all Somalis". It is significant that human rights violations are mentioned in the preamble of the new charter because it acknowledges the role of human rights abuses in the state's collapse and the need to make human rights central to all endeavours to reconstruct it. This is the first charter adopted in Somalia since the collapse of the central government in 1991. The fact that armed faction leaders were not involved in the process of drafting the new document made it easier for the drafters to acknowledge the paramount importance of human rights observance. The Transitional National Charter, adopted in Arta, Djibouti in 2000, recognised regional autonomy as the new governance structure based on the 18 regions that existed before the collapse of the central government in 1991. The new charter also envisaged the separation of powers of the branches of the state such as the legislative, executive and the judiciary.

The protection of human rights and adherence to international human rights standards gained prominence in the new charter. For instance, article 3 reaffirms that Somalia will adhere to international human rights instruments to which it is a party and provides for the supremacy of law. In the same vein, article 4 recognises the Universal Declaration of Human Rights and reaffirms the intention to implement the provisions of the two international human rights covenants both of which Somalia is a state party. Along the same line, articles 5 to 10 catalogue rights and freedoms accorded to the citizens including the right to life, freedom of movement and assembly, free speech and press freedom. The right to political participation is also enshrined in the charter. It is essential to note that, the transitional national charter also called for the establishment of an independent human rights commission.

Equally, the 2004 Transitional Federal Charter adopted during the Somali reconciliation conference in Mbagathi, Kenya, explicitly incorporates the rights enshrined in the international human rights instruments. It seems that some of the provisions even surpass the rights guaranteed by advanced democracies. The Transitional Federal Charter takes a monist approach as opposed to dualist approach to international law (Maniruzzaman, 2001). That means that it abides by the provisions of the international human rights treaties to which Somalia is a party without any need to enact any further separate domestic laws. In that regard article 14 provides that Somali Republic "shall recognize and enforce all international human rights conventions and treaties to which the Republic is a party." Article 11 paragraph 3 of the TFC stipulates that "(a) While the new Constitution is being drafted, a National Census shall be undertaken simultaneously. (b) After which an internationally supervised National Referendum shall be undertaken to approve the new Constitution". Additionally, article 4 of TFC specifies that the provisions in the charter should be interpreted in a manner that "national reconciliation, unity and democratic values". In fact, the new provisional constitution was not approved by a popular referendum, but was adopted by a selected constituent assembly in August 2012.

Likewise, numerous other citizens rights are enumerated in the charter including the equality of citizens before the law (art.16), right to life, personal liberty and security (art.16), the right to assemble and the freedom to strike (art.19). Article 24 guarantees the right of every citizen to primary and secondary education. Article 25 provides for the rights to health care stipulating: "it shall be the responsibility of the government to protect and provide public health, safe motherhood and control of communicable disease".

Nevertheless, in the absence of security and a functioning authority to willingly uphold the provisions of the constitution, the human rights violation in the country has continued without substantial interruptions. Experience from different parts of the world "has shown that many constitutions... have often been mere 'window dressing' rather

than substantive protection for individual human rights” (Keith, 2002, p. 112). In that regard, the provisions in the Somali constitution, in the words of some commentators, could be characterised as purely “worthless scraps of papers” (Howard, 1991, p. 30). First, there are no meaningful courts, police forces or any other institutions to guarantee the rights enumerated in the document. Secondly, and more revealingly, most leaders of the successive transitional governments since the total collapse of the central government in 1991 have been individuals accused of masterminding the massive human rights violations of the country. Even the leaders of the current federal government who were not involved in past human rights abuses failed to establish the measures necessary to make the constitution relevant for the citizens. Lack of security is one of the reasons the rights enshrined in the constitution do not offer protection to citizens.

## **7. Prioritising Security Sector Rebuilding**

There is a widespread consensus among scholars that, central to the political stability and to the reinstatement of viable, effective and legitimate public order in Somalia is the re-institution of effective internal security institutions including the police force, criminal justice and correctional systems. Experience elsewhere overwhelmingly offer evidence that, “long-term prospects for democratic governance and stability depend especially upon viable police, security forces, and justice structures to deal with the most salient internal threats...” (Wilson, 2006, p. 153). If public order is not restored immediately after the collapse of the *ancient regime*, it is likely that criminal forces will fill the void and use their newly acquired power for personal gain. In that regard, if peace and stability is to take hold and be sustainable, it is imperative that after silencing the guns, the first priority should be to create a credible internal security system without which any governance system cannot be established, as Puntman suggests:

Priority should be given to the demobilization of soldiers and the demilitarisation of politics; that is, the transformation of soldiers into civilians and warring armies into political parties. The achievement of important normative goals such as protection of human rights and creation of accountability and democracy depends on the implementation of these transformations” (Stedman, Rothchild, & Cousens, 2002, p. 3).

In many conflict situations, nevertheless, reconstituting or reconstructing the police force is fraught with immense challenges. For instance, many members of the former police force may be implicated in human rights violations and corruption; and others may have actively taken part in the civil war in different capacities (Baker, 2006). In fully collapsed states where state institutions, including the police, have disintegrated and not functioned for years, it is more difficult and challenging to create a coherent and credible police force that can earn the trust of the public and thus legitimacy. The immediate challenge is to make a decision on whether to rebuild the old police

force, albeit with some reform, or start from scratch. Recreating the old police force and returning to *ante-bellum* may not offer solace, and may exacerbate the situation, given the fact that more often than not “oppressive policing, nepotism and corruption” characterised the old order. Furthermore, the repressive nature of public policing and its concomitant human rights violations were all “contributory factors to the outbreak and continuance of conflict” (Baker, 2006, p. 28).

As Baker catalogues, experiences elsewhere in Africa show that there are three possible ways to reinstitute a legitimate and effective police force. The first option is to purge the old police force and start recruiting a complete new force as was the case in Namibia. The second possibility is to reconstitute the old police force after subjecting them to meticulous screening and selection, purging anyone implicated in human rights abuses or other criminal activity and retaining the rest. This method was employed in Angola. The third way is to keep the rank and file of the old police force and complement them with new recruits and management. This last option was used by Sierra Leone, Democratic Republic of Congo, Liberia and Rwanda (Baker, 2006, p. 29).

To be able to construct an effective and legitimate sustainable internal security, several serious conditions should be fulfilled that might contribute to the achievement of that goal. First and foremost is the existence of a functioning government which meets the requirement of the Weberian “monopoly of the legitimate use of physical forces within a given territory”. In Somalia, a security sector assessment was carried out jointly by the United Nations Political Office for Somalia (UNPOS) and the United Nations with the cooperation of several countries and organisations including the Transitional Federal Government of Somalia, the African Union and the European Union. The Assessment was completed in January 2010. One of the key conclusions of the assessment was “the security sector reform may not be sustainable if a broader political foundation is not firmly established within the time frame of the transition to promote good governance, transparency and accountability” (UNSC, Report of the Secretary-General on the Situation in Somalia, 2010). Almost six years later, little seemed to change. The current police and military contingent of the government are mostly former militia members from the capital and the surrounding regions. Likewise, troops in other regions are clan militia loyal to the respective local administration. In the past, there were calls to integrate the different militias to form a credible national security force. In May 2015, the Somali government reportedly launched a new military academy designed to integrate disparate militia forces in different parts of the country.

It is not clear yet how this integration drive will work. However, the newly appointed commission for Somali national army integration stated that they intend to integrate the militias loyal to different administrations without any vetting process. To make matters worse, in the last ten years countless ex-militiamen and civilians without any prior military or police experience have been promoted to the rank of general.

In consequence, attempts to reconstruct the collapsed state of Somalia and its institutions have failed, because human rights were not made central in all efforts. A competent national police force is a prerequisite “for the restoration of the rule of law and of public security, but also crucial to the broader process of restoring state legitimacy and a state-held monopoly on the legitimate use of force” (Donais, 2005, p. 271). For Somalia to have any chance of arresting the downward spiral of statelessness, violence and human rights violations, an effective security system should be established. In turn, for security forces to be effective a legitimate authority must be in place to gain the trust of the population in the new security force.

## **8. Rebuilding the Justice Sector**

In societies emerging from prolonged civil wars, it is argued “the justice system can play an important role both in successful investigation of past abuses of human rights and in effective prevention of future violations” (Wardak, 2004, p. 331). However, if individuals accused of perpetrating heinous atrocities are given influential positions of power, it is unlikely that any meaningful investigation can take place. As Wilets notes, “human rights cannot be respected in a vacuum. Acceptance of human rights treaties and formal acceptance of human rights norms is meaningless without the rule of law” (Wilets, 2001, p. 597).

Wilets continued, “the rule of law cannot exist unless society itself creates independent civic institutions to monitor observance of human rights and encourage compliance with human rights norms” (Wilets, 2001, p. 599). In Somalia, after decades of violent civil war between various warring parties and a total collapse of all central government institutions, reinstating a sustainable justice system is a tremendously daunting task. All the justice infrastructure including police stations and headquarters, prison facilities and courthouses have been destroyed. Equally, all government personnel including police officers, judges and prison officers have either left the country, are living in exile, or are accused of taking part in past human rights violations. Against this rather bleak backdrop, new government institutions have to be re-established from scratch for there are no institutions to be reformed.

In May 2012, the independent expert on human rights urged the leaders of the transitional government to restore the justice system. The UN expert, Shamsul Bari stated: ‘Strengthening access to justice and rule of law in the country is crucial to protect and promote the fundamental rights of the Somali people’. Furthermore, the independent expert recognised, “[r]e-establishing a legitimate justice system in Mogadishu and South-Central Somalia presents a major challenge, but also an opportunity for the international community”. He was alarmed by the “total collapse of the institutions for law enforcement and the administration of justice”.<sup>2</sup> It is clear from this statement

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2 UN News Centre, UN expert on Human Rights in Somalia Urges Restoration of Justice System, 02 May 2012

that the efforts of the last two decades to re-establish a functioning justice system on a national level have been unsuccessful. Second, without a working justice system, other efforts to consolidate state institutions will have little impact on the conflict situation.

To create a legitimate justice system, it is imperative to identify individuals who were tainted by human rights abuses and corruption. If these individuals are allowed to get involved again the credibility of the whole system would be in jeopardy. In post Saddam Hussein Iraq, a Judicial Review System was put in place to screen all former employees and purge anyone involved with previous offenses. In consequence, "over 800 judges and prosecutors had been investigated and approximately 170 were removed" (Williamson, 2004, p. 238). However, several factors influence or determine the options available to the new authority. To be sure, the duration of the conflict and the effectiveness of its institutions play a pivotal role. For instance, totally collapsed states like Somalia embroiled in ongoing conflict may have more limited options than in a situation where one group won the civil war, like Rwanda or where the conflict ended due to a negotiated settlement like Mozambique and Democratic Republic of Congo.

State reform covers more than the mere rebuilding of institutions and a change of individuals. In addition to "forging democratic development, the participation of the population and the rule of law, it will also develop structures that can offer an effective means for the peaceful management of deep rooted conflict". Additionally, "poorly designed state reform can even lead to the deterioration of a conflict" (Baechler, 2004, p. 2). As Baechler rightly observes: "If a transition process to peace and development is to be sustainable, it must enjoy the support of the entire population and not only the political elite" (Baechler, 2004, p. 4). It seems that the manner in which leaders come to power has a profound bearing on the way the country is subsequently governed. For example, Baechler argues that "[b]ad governance and poor state performance quite often coincide with leadership that has reached power through a coup d'état, secession or civil war" (Baechler, 2004, p. 6). It is also recognised that maintenance of law and order "is a multi-dimensional effort that not only comprises the police but also the prosecution service, judiciary and correctional systems" (Strohmeyer, 2001, p. 171). The next sections will separately analyse the different components, like the necessity to reform police and judicial systems, as an overall project.

### **8.1. Building a Credible Police Force**

The reconstruction of national institutions is challenging, and as the Secretary-General of the United Nations acknowledged: "Restoring the capacity and legitimacy of national institutions is a long-term undertaking. However, urgent action to restore human security, human rights and the rule of law cannot be deferred" (UN, Report of the Secretary-General on the Rule of Law and Transitional Justice in Conflict and Post Conflict Societies, 2004). Charles Call (2008) articulately argues that police reform is informed by five different perspectives. He further asserts that these perspectives

overlap and are not necessarily mutually exclusive. The first one is the *human rights perspective* which entails the necessity to embed international human rights standards in all facets of police work. In this perspective, all human rights violators are removed from the forces and new recruits need to undergo rigorous vetting so as not to admit any human rights abuser into the police force. The second one is the *peacekeeping perspective* which is concerned with maintaining peace and stability by integrating all the different combatants into one coherent force. In this perspective, all the actions of the police and its reconstitution are geared towards preventing a recurrence of the violent conflict. Unlike the human rights perspective, the human rights record of the members of the police force is not a serious concern.

The third is a *law-enforcement perspective*, which focuses on creating an effective police force capable of combating crime. Consistent in some respects with the peace-keeping perspective, this approach is not necessarily concerned with the past activities of the recruits or old officers. Rather, the emphasis is on retaining more experienced police officers who are able to pass their invaluable knowledge and experience to the new recruits. Obviously, this perspective ignores other possible methods to gain experience without legitimizing the past criminal activities of the police officers. The fourth perspective is the *economic development perspective* which is somewhat related to the law-enforcement perspective, both of which emphasize control of crime so that a safe environment conducive to investment can be created. Finally, there is the *democratization perspective* which focuses on not only human rights but is also concerned with the broader rule of law and criminal justice issues (Call, 2002, pp. 100-110).

It seems that almost all attempts to rebuild the Somali police and justice system have been along the lines of the *peacekeeping perspective* detailed above and to a lesser extent the *law-enforcement perspective*. After the collapse of the central government in 1991, the central police authority disintegrated, and police officers fled to their respective hometowns and villages. Some directly participated in the civil war while others were recruited by local administrations to be part of the local police force. The UN intervention force attempted to train and reinstate police forces in their respective locality (Halim, 1996). However, as soon as the UN troops withdrew from Somalia in 1995, members of the police forces trained to fill the security void dispersed. From then on, despite attempts from the transitional leaders and the international community, no national police force became operational until 2001.

In 2000, after a decade without a central government, a transitional national government was established as a result of a reconciliation conference held in Arta, Djibouti. The transitional national government tried to reconstitute the national police force. The members of the police force consisted of some old police officers who were trained before the outbreak of the state collapse and others recruited from the faction leaders. These former militia members lacked discipline, equipment, and the wider public

had no trust in them. Furthermore, and more worryingly, a known warlord who had been accused of massive human rights violations was named as the commander of the national police force. He recruited his militia members from local warlords who owed allegiances to their clan or faction leader. When the term of the transitional government was about to end, he defected from the government taking most of the police force with their equipment and subsequently used them as his militia, manning illegal roadblocks and running extortion activities. In 2002, an Amnesty International report documented the human rights abuses perpetrated by the police force and other militia groups.<sup>3</sup>

After almost fifteen years of attempts to reconstruct the Somali police force, it is commonly acknowledged that no meaningful headway has been made in establishing a sustainable local police force capable of maintaining law and order and ensuring the security of the citizens. The pertinent question that might be asked is: why have different efforts failed so far?. In conflict shattered countries like Somalia, security generally entails arresting ongoing hostilities, demobilising and rehabilitating the former combatants, the reinstatement of effective and legitimate central government and securing the country's borders from external threats. It is essential to understand the nexus between civil security and state security which are often complementary.

In that respect, "state security concerns rise and fall with the level of threat against a nation, while civil security must always be present to ensure the rule of law and "to keep the peace" (Murry, 2011). As often is the case, by and large state security is usually protected by national military forces and intelligence services in collaboration. On the other hand, "civil security is the preserve of civilian police. While there is some blurring at the line of demarcation, as a general principle, police do not fight wars, and national armies are not used against civilian populations" (Murry, 2011).

In November 2011, according to the United Nations, the Transitional Federal Government had approximately 10,300 security forces in the capital city alone, including troops trained by the European Union in Uganda (UNSC, Report of the Secretary-General on the Situation in Somalia, 2011, p. para.36). However, attempts to reconstruct state institutions, which are prerequisite for building effective governance, neglected the root causes of the conflict including human rights violations, and concentrated on tackling the symptoms of the conflict. Warring militias beholden to the warlords or faction leaders formed the backbone of all the police and military force. As a result, infighting, widespread mistrust of the people and defecting to his old militia when his warlord patron is dissatisfied with the political dealing of the day characterised the police recruitment exercises. For instance, after spending millions of dollars on recruitment and training in the capital city Mogadishu, according to the United Nations, "there are numerous reports of looting, murder and sexual violence carried out by armed men in military uniforms

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3 Amnesty International Report 2002, AL index: POL 10/001/2002



against internationally displaced people” (UNSC, Report of the Secretary-General on the Situation in Somalia, 2011, p. para.68). The alleged corruption of the government institutions including the police force is also widespread.

Police reform is challenging particularly in situations where the police force has been accused of committing heinous crimes under the previous government. It is much more daunting and difficult in circumstances where the police force has disintegrated and has been out of action for more than a decade. As O’Neill argues: “police reform takes a long time, involves transforming power relations in a society and requires more than technical tinkering with police doctrine and practice” (O’Neill, 2005, p. 2). Furthermore, “police reform must be carried out in tandem with judicial reform. Modernizing laws, training judges, making courts more efficient and humanising prisons are all part of ‘rule of law’” (O’Neill, 2005, p. 3). As O’Neil further argues that, “training and increased knowledge of rights will not single-handedly change behaviour or prevent human rights violations by police” (O’Neill, 2005, p. 4).

However, any amount of training could not transform the corrupt police force if there is no possibility of an independent complaint mechanism and enforcement. The current Federal Government troops are mostly comprised from militia of the warlords and faction leaders who have been involved in the civil war and human rights violations in the past decades. Furthermore, most of the military and police commanders are former officers who served under the repressive military government. No attempt has been made to vet and screen them. In that respect, it is unreasonable to expect them to safeguard the human rights of the citizens. The Secretary-General of the United Nations reported, “[p]oor command and control over TFG forces and the loose integration of militia and clan-based divisions led to a serious of incidents resulting in civilian casualties” (UNSC, Report of the Secretary General on the Situation in Somalia, 2011, p. para.28).

During the United Nations intervention in Somalia in the early 1990s, the United Nations mission allocated a lot of financial resources and manpower to training the police force and refurbishing courts and police stations. The Security Council recognised that re-constituting an effective police force, judicial and penal system is a prerequisite for the creation of a peaceful and stable environment in Somalia.<sup>4</sup>In that respect, the United Nations and donor countries spent a considerable amount of money and resources to train Somali police force. In May 1994, the total number of police officers recruited and trained was 7,799. The initial UNOSOM policy regarding re-establishment of the Somali police was that only individuals who served a minimum of two years as a police officer in the previous military government was eligible for the new recruitment.

However, it seems that the United Nations overlooked the fact that, without a legitimate domestic political authority or other governance structure in place, all these efforts were

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4 SC Res 865 (1993)

in vain. That is exactly what happened when the UNOSOM II troops were withdrawn; the trained police dispersed and court and police buildings were taken over by local militias loyal to different faction leaders. In that respect, the United Nations later admitted, “[t]he protracted political impasse has created a vacuum of civil authority and of governmental structure, leaving the United Nations with no function to build on its efforts to help Somalia emerge from its present chaotic condition”. As a consequence, “the presence of UNOSOM II troops has had limited impact on the peace process... and security”. Sometimes it is easier and much more efficient to recruit and train new police force who are not tainted by corruption or any other ill practice.

If we sufficiently analyse the successive Somali governments established in the last decade and half, and their attempts to reconstitute the police and military force, a clear pattern emerges. First, a transitional government is formed mostly comprising warlords. Former government officials without any vetting or clear strategy are trusted to reconstruct a legitimate authority in the country. Subsequently, the United Nations, donor countries and human rights organisations enthusiastically welcome the new government and urge them to respect human rights. After that, the government brings the militia of the warlords without any vetting or proper training and lets them police the areas under the control of the government. Given their past activities and the lack of any future safeguards to protect the abuses of the police and military personnel, the population continues with their distrust of the police and the military. The UN provides training and human rights protection lessons, but to no avail. When a new government is created the cycle starts all over again.

For example, in 2009, immediately after the creation of the transitional government after the Djibouti agreement, the United Nations suggested that: “[i]n the short-term, the Somali police force needs advice, ongoing training and logistical support through a trust fund”. The report went on to state: “In the medium term, infrastructure and specialised police training will be essential”. Surprisingly, the UN notes, “in the long term police reform and a restructuring programme should be implemented in line with the national security sector strategy for Somalia”<sup>5</sup>. It appears a confused prioritisation. Training and equipping first, and thinking about reform and restructuring later. There are several problems with this proposal. First, it seems that the UN and other organisations conveniently overlook the fact that a known warlord was named as police chief and “re-hatted” his militia to become the police force. Second, and more worryingly, this statement suggests that money and resources should be invested in training and strengthening warlords, before making another effort to “reform”. It is likely that the new police will be resistant to the proposed reform as it collides with their warlord’s vision of maintaining the status quo.

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5 UN Security Council, Report of the Secretary-General on the Situation in Somalia, S/2009/132, 9 March 2009, para.42

Since its inception, tens of thousands of both military and police personnel have been trained for the Transitional Government of Somalia. These troops have not only failed to protect the civilians but they actively participated in violating their basic rights. More strikingly still, there is constant infighting between different groups within the troops themselves. For example, recently when the European Union announced that it would train military forces for the Somali government, warlord militia or clan militia had been sent to be trained as the new security force without any vetting. In consequence, the wider public had no faith in the forces trained to restore order, thus lack any legitimacy in the eyes of the populace. Such situations inevitably create circumstances where victims of warlord militia are confronted with their erstwhile oppressors who are now supposed to be the ones responsible for their safety. This puts the public in an uneasy situation. Even though they are willing to support the new authority, they cannot trust the enforcement arms of that authority. The fact that no one is held to account for the previous atrocities makes the situation more complicated. If the perpetrators of past human rights abuses confess and seek forgiveness, this might give the public a reason to give the new recruits the benefit of the doubt. However, known criminals and their leaders have been selected to maintain public order without any safeguards or means to seek remedy for any future transgressions on the part of the security forces. In that light, there is constant deadly infighting between government forces loyal to different former warlords or other individuals. If for whatever political reason it is decided to retain the old police force without any vetting, it is essential to create a complaints procedure and an internal organ within the police force where the public can report police abuses, corruption or any other dissatisfaction. Experience elsewhere in Africa shows that such measures give the public confidence that their complaint will be heard. For instance, in Sierra Leone a "Complaints Discipline and Internal Investigation Department" was instituted to give the wider public an opportunity to report any police malpractice such as human rights violation and bribery. Following complaints from the public and subsequent investigations, roughly 100 police officers accused of various malpractices were dismissed between 2001 and 2006 (Baker, 2006, pp. 33,35).

To have any chance of success, police reform and other efforts to rebuild effective police forces must be part of a broader institutional building exercise. In Somalia, there have been at least three instances where the international community attempted to support the reinstatement of Somali national police force. First, during the UN intervention in the early 1990s, an attempt was made to rebuild a police force at the local level. There were also separate developments at regional level. The United Nations and other donor countries are also involved in helping some parts of Somalia, particularly Somaliland and Puntland, to create a functioning justice system including police, judiciary and penal facilities.

Interestingly, in all attempts to reconstruct the Somali national police or military force, scant attention has been given to the past activities of the police force or the current

political organisations of the present leaders. During the military government and subsequent transitional governments, both the police and military have been implicated in massive human rights abuses. As experiences elsewhere amply reveal, effective policing does not only require recruiting individuals for the force, but also requires:

the establishment of political architecture of public safety, a complex of justice-oriented governance mechanisms that link policing agencies not just to prosecutors, courts and corrections, but also to the exercise of ministerial power and planning and control of resources by bureaucrats (Goldsmith & Dinne, 2007).

For any police force to win the trust of the people, the support and acceptance of the population is essential. Different approaches are chosen to achieve that goal. For instance, in Haiti and El Salvador, the preference was not to rely on the old tainted police force but to start from scratch with the new security force. However, it is necessary to realise that, police reform without broader political reform is not going to work (Donais, 2005, p. 4). In Somalia where the police force and other state institutions have not been functioning for the last two decades, it is less attractive to recall the old police force for several reasons. First, most members of the police force are known for their corruption and oppression. They were used by the previous military government to repress dissent. Second, and perhaps more pertinent, the majority of the old police force have passed retirement age. For any reform to work, the whole justice sector should be reformed including the police, judiciary and penitentiary system. After more than twenty years without functioning institutions on a national level, the facilities are either entirely destroyed or are crumbling. The lack of security forces has given rise to private armies and local militia which in turn has created insecurity and led to widespread human rights abuses. The police force of the federal government is faction-ridden and is incapable of fulfilling policing duties even within only the capital city, let alone the whole country. It is not only necessary to reform the police force, but this has to occur in tandem with judicial reform.

## **9. Concluding Remarks**

In a report to the Security Council in May 2010, the UN Secretary-General pertinently described the dire human rights situation in Somalia: “[t]he overall security situation in Somalia remains highly volatile and unpredictable”<sup>6</sup>. Equally, the Secretary-General noted that the “human rights situation in Somalia has been among the most neglected in the world...”<sup>7</sup>. This indubitably demonstrates that all the efforts in the last two and

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6 UN SC, Report of the Secretary-General on the Situation in Somalia, S/2010/234, 11 May 2010, para. 8

7 UN Security Council, Report of the Secretary-General on the Situation in Somalia, S/2009/132, 9 March 2009, para. 44

half decades failed to ameliorate the suffering of the population satisfactorily. In consequence, massive human rights violations continue insubstantial parts of the country unabated.

Usually human rights abuses occur both horizontally and vertically. The vertical human rights violations entail state agents abusing the rights of the citizens, being unable to protect them, or by creating an environment where human rights violations are tolerated. With respect to horizontal human rights, abuses occur between citizens without the involvement of state agents. Usually, a state without proper checks and balances violates the human rights of the people under its jurisdiction. Initially it was thought that states with too much power were prime enemies of human rights. However, there is a belated realisation that a complete lack of state institutions is more a threat to the human rights than too much of it. In situations where state institutions are ruined the twin functions of the state are unfulfilled. For a start, the state does not hold the monopoly on the legitimate use of violence. As a result, the state is unable to provide any political goods like health, education, security and economic development. The two functions are intertwined and interdependent.

In Somalia's case, the prolonged conflict has made the majority of citizens passive spectators because "many citizens are hesitant to become overly involved in the political rebuilding process, having been conditioned by wartime realities to defer to individuals who exercised authority through the barrel of the gun" (Orr, 202, p. 139). Evidently, "the single most important factor that determines the success or failure of a post-conflict reconstruction effort is the extent to which a coherent, legitimate government exists- or can be created" (Orr, 202). In that connection, it is crucial that the international effort to help the collapsed states to create legitimate governance should revolve around two specific activities.

First, all the efforts must be directed at creating a legitimate governance structure. The best way to create such a legitimate government is to make certain that, in accordance with international human rights standards, the population have unhindered access to the political process and can extend this participation. To that end, creating a government with no support from the population is not enough and might exacerbate the already calamitous situation. Second, once a legitimate entity is constituted, its capacity should be strengthened so as to enable it to provide essential public goods which in turn would further augment the legitimacy of the new government (Orr, 202, p. 140). Unless that happens all the efforts towards human rights protection in Somalia will likely remain ineffective.

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# Cameroon: Fonship and Power Politics in State Formation in Bafut

Divine Fuhnwi NGWA

**Abstract:** *This work is an analysis of the strategies and methods used by a leader to wield power and maintain peace in a community prone to conflict, power and leadership crisis. The process of state formation or nation building in Africa has its own peculiarities. They differ from one community to the other depending on the practices of the people. The lifespan of the state also depends on the mechanism and strategies applied by the leader to manage conflicts encountered by his administration. In Bafut, traditional authority, governance and power politics revolve around the position of the Fon. He is at the head of a centralised polity made up of people from diverse origins speaking different languages. These people were brought together through conquest and assimilation by the ancestors of the Fon who succeeded in creating a ruling dynasty over the groups of people in the area. This led to the emergence of a complex political structure whose administration under the dynasty was suffocated by power tussles. Thus, for the people to remain strong and united and for statehood to be sustained, the Fon at the head of the dynasty had to adopt some political mechanisms and strategies to contain pressure from his opponents or detractors as well as maintain the various groups under his control. In fact, he is said to command the instrument of conflict management, resolution and mediation in his community. Through books, memoirs, thesis and interviews, we concluded that conflict is a characteristic of power politics and no system is free from it given the 'omnipresence' of ambitious detractors. Thus, the ability the Fon to hold Bafut together under his control makes the fondom a perfect example of unity in diversity and master of the politics of peaceful coexistence.*

**Keywords:** *Fonship, Power Politics, State Formation, Bafut, Cameroon.*

## Introduction

Traditional administration, power politics and authority in Africa revolve around the power structure and traditional set up established by the various communities. In Bafut, power and politics is focused on the personage of the leader (Fon) and the

Divine Fuhnwi NGWA  
Protestant University of Central Africa  
(PUCA), Yaounde, Cameroon  
E-mail: [divinefuhnwi@yahoo.com](mailto:divinefuhnwi@yahoo.com)

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throne. A number of events influenced the throne of authority and its occupants as the society evolved. Politics of coexistence between groups which accommodated themselves under circumstances since pre-colonial times portrayed Bafut as one of those centralized political entities in the Bamenda Grassfields of Cameroon that exhibit a hierarchical power structure externally viewed as cohesive and consensual. The perception of *fonship* or paramount rule (among people with different backgrounds and agendas) is viewed from a rebellious stand point, thus necessitating some strategies and methods to be used by the Fon to maintain his grip over such a diversified polity. However, elements that influenced power politics and authority around the Fon either acted as causes to strengthen his position on the throne, reinforced his authority or generated tension and conflict within the realm of traditional politics. Ironically, the same elements served as instruments that maintained peaceful coexistence amongst the people, thus suggesting that the reign of peace does not negate conflict. Actions taken by the Fon and his people constituted the power politics around the *fonship*. In fact, *fonship* in Bafut is not given but worked for and how the Fon manages his people (conflict resolution or management) in a bid to maintain peace depends on the strategies and methods adopted from inception.

## **Background**

Bafut is a composite kingdom made up of eight semi-autonomous chiefdoms. It is situated some twenty kilometres North-West of Bamenda, capital of North-West Region of Cameroon. It covers an area of some 340 square kilometres with a population of nearly 98000 inhabitants. This population is made up of peoples from diverse backgrounds settled in three zones. At the centre are the people of *mumalaa* (heart of the country) who trace their dynastic origin to Ndobor or Tikari area, North-West of Fumban in West Region of Cameroon. To the South and North are the *ntare* (ridge area) and *mbunti* (lowland) people of Widikum origin from South-West Region of Cameroon. Bafut is a polity with a paramount chief (Fon) under whom are sub-chiefs that administer different ethnic groups of diverse peoples within the Fondom. The dominant group in whose hands supreme power resides is the Tikar and the sub-chiefdoms are mostly of widekum origin. The sub-chiefs in Bafut claim to have brought their people into Bafut from various places of origin. Thus, the paramount Fon's right to exert local authority or control over their people is not legitimate (Niba, 1999). Such claims have not only threatened the survival or existence of traditional authority in Bafut but have also incited ethnocentrism and other vices in the Fondom. The uncompromising stand of the Fon, his chiefs and people threatened to tear the Fondom apart. However, the power and authority of the Fon had its roots from the socio-political arrangements and relations that were established in the area from inception.

## Social and Political Organisation

Bafut society was patrilineal in its kinship relations. It means that descent and succession was claimed through the father. Any son was entitled to succeed provided the father indicated this in his will. The smallest unit of the kinship group was the nuclear family (*nji inda*, meaning, bottom of the house). This was synonymous with the smallest territorial unit of the *fondom*, namely, the compound (*ndugu*), which consisted of a man who was the compound head (*mbong ndugu*), his wife or wives, unmarried sons, daughters, servants and other dependents. The compound head could also be the head of an extended family or a patrilineage (*ngwe'enda*), which came next after the nuclear family. Coming after was the lineage (*acheu*), consisting of a number of extended families whose members claimed descent from a common ancestor. It was headed by the successor of the founder of the lineage (*tacheu*). A number of lineages constituted a village.

As mentioned earlier, the Bafut *fondom* was a heterogeneous polity. It fitted broadly into the class of African 'incorporative kingdom'. The characteristics of such a kingdom, according to Vansina (1962), were (a) that it had been enlarged by conquest, (b) that the conquest started from a nucleus and (c) that the impetus to the conquest was given by an immigrant group. Thus, at the head of the political structure in Bafut was the Fon. He was both the political and spiritual head and also exercised both executive and judicial authority over his subjects. His position was re-enforced by the near-sacred nature of his personality (Ritzenthaler & Ritzenthaler, 1962). The Fon had multiple political, judicial, religious and social duties. He controlled external relations with other peoples, making wars and peace treaties. Internally, he made laws. All justice was in his name and he was the final court of appeal and had the power of life and death over his subjects. As chief priest of the *fondom*, he offered sacrifices to his ancestors and interceded with them for the welfare of the people and for peace to reign. In summary, the Fon was the visible manifestation of the Bafut body politic, but at the same time he was merely the tip of the political iceberg.

As in most African kingdoms, the Fon of Bafut was assisted by some royal relatives, namely *maamfor* (queen Mother), two brother assistants to the Fon, namely the *ndimfor* (elder brother) and *muma* (younger brother), who also served as advisers. There was another brother adviser. This was *Tabufor* (father of *fons*). He was usually any son of the late Fon who happened to have been born before his father was enthroned as Fon. By the circumstances of his birth, therefore, the *Tabufor* had no ambitions for the throne, hence his role as father to the new Fon. In this capacity, *Tabufor* had the obligation to support the Fon in all ventures that were geared towards maintaining peace in the *fondom*. However, none of the royal advisers acted as regent when the Fon died or was absent from the palace. The body which shared power with the Fon and acted in his absence was the council of elders or *kwifor*. Literally, *kwifor* means holder or supporter of the Fon. It was an institution common to all the Grassfield kingdoms and was called

different names. Thus it was called *nwerong* in Nso, *kwifoyn* in Kom, *nkwifon* in Mankon and *ngumba* in Bali, all studied by Chilver and Kaberry (1959, 1961). The members who must have reached the *bukum* rank were hierarchically ordered.

The functions of *kwifor* were carried out through different agencies or lodges. One important duty of *kwifor* included the enforcement of rules regarding the authority of the Fon and the decisions he took. *Kwifor* worked hard towards maintaining peace in the *fondom*. It resolved conflicts within the context of a judiciary system that was set up in the central palace. The Bafut judicial system, as analysed by Chilver and Kaberry, was broadly similar to that of another 'Tikar' Kingdom, Nso (Chilver & Kaberry 1963; Cullock, Littlewood, & Dugast, 1954). The point of agreement is that justice was decentralised as much as possible and the Fon only dealt with serious cases. As far as possible, disputes were usually submitted for arbitration and settlement in family circles, from the extended family up to the lineage, depending on the nature of the case. Beyond the family, quarter and village heads dealt with some cases between families such as thefts, assaults and land matters. More serious cases, such as murder, arson, witchcraft, destruction of property and aggravated thefts were referred to the Fon who dealt with them in consultation with *kwifor*.

Depending on the gravity of the case, investigations were carried out by *kwifor*. In a land case, for instance, some *bukum* would be sent out to investigate. While the case was sub-judice, the area in question would be put under the *kwifor* ban. The insignia was a stick with a slit top in which a palm frond was inserted (*ajube kwifor*) and pinned on the disputed piece of land. On the appointed day, both parties to the dispute came to the palace. Evidence was taken separately from them by *kwifor* messengers (*nto kwifor*). This was relayed to the Fon who, on the advice of *kwifor*, arrived at a decision. On another day, the Fon would deliver judgement in the audience hall (*nsang*). Criminal cases were dealt with in the same way. *Kwifor* would carry out the investigations, the Fon delivered the judgement and the appropriate arm of *kwifor* would execute the sentence.

Sanctions followed the moral, ritual, and legal guidelines as analysed in the cases of some West African political systems by Brown (1951). In Bafut, the category of sanctions depended on the gravity of the case. In the case of witchcraft, there had to be exculpation by ordeal in the *kwifor* inner lodge (*ndangoro*). The suspect brought a fowl to which poison was administered. The death of the fowl signified guilt. This was similar to trial by ordeal as discussed by Ikime (1965) in the case of some Delta tribes in Nigeria. The guilty person was then either executed or exiled. In the case of murder, the murderer was publicly executed by being tied to stone monolith in the plaza and clubbed to death by a masked *kwifor* executioner (*mubu'u*). Assault was punished by demand of compensation. The punishment for theft was public disgrace and mockery. Cases of treason, that is, those against the person of the Fon and abominations such as adultery with a Fon's wife warranted instant death in the hands of *kwifor*. In fact,

modern states today might consider these methods as a slight or an anathema to human rights ethics. In reality, the 'dreaded' nature of the sanctions acted as a deterrent to criminality in the society. The fear to be sanctioned by *kwifor*, reduced crime waves which permitted the Bafut people to live in a peaceful atmosphere.

On territorial organisation, Bafut had two types of settlements. The first one, there were the semi-autonomous villages each with its own chief (*atangchuo* - war planner). The villages were linked to the centre under various conditions governing their relationship. According to Hook's list (1934), as mentioned above, seventeen villages fell in this category. They were: Bawum, Mambu, Mankaa, Mankwi, Banji, Akofunguba (south in the *ntare* area); Beno, Buwi, Manta, Tingo, Mbekong, Butang, Bugiri, Aba and Bukabunano (Obang). Most of them were located North in the upper Mentchum valley. There was Bukari and Buwe, being among the oldest villages in Bafut located to the northeast of the capital.

The second type of settlement constituted those villages clustered around the palace and ruled directly by the Fon. These were: Mbebali, Mbebeli, Manji, Njibujang, Bujong, Njinteh, Niko, Mankaha, and Nchum (Hook, 1934). The inhabitants here consisted mostly of the Tikari immigrants, who were closely allied to the Fon. These villages had no chiefs with any hereditary title as such but an appointed head (*tanukuru* - father of the quarter) existed. He was appointed by the Fon among the *bukum* of the village, that was, any one of them whom he deemed competent. In some cases, a prince was appointed. That was one way the Fon involved his relations in the administration. The *tanukuru*, along with the other elders of the village constituted a governing council (*butabenukuru*), which met often to deliberate on matters of immediate concern to their village. The matters might be the implementation of the Fon's directives, collecting and transmitting their own tribute to palace and arranging for community projects. They were also charged with the duty of resolving conflicts and restoring peace in their villages.

It was also the prerogative of the Fon to create new villages, by appointing heads to new settlements. It was by doing so that he had more villages under his direct control. However this does not imply that the exercise of power on Bafut territory was smooth through; there were areas of conflict within the political structure (Mair, 1977; Rowe, 1975).

We stated above that, the Bafut dynasty claimed origin from Tikar, from which the legends bring the ancestors of the kings just as those of Kom and Nso (Hawkesworth, 1926; Hook, 1934). As a composite *fondom*, the different component chiefdoms had their own traditions which were at variance with the central *fondom*. A typical example was the chiefdom of Bawum whose traditions place their roots of origin from Ala'ante near the present Bamenda Station. Driven by natural disaster, their chief, Ntoh, led them towards Bafut and settled at Mbebeli as guest of Nibachi, the chief. Then came a man from Tikari named Firlu who attracted the people to him by his generosity. Finally

Ntoh and Nibachi surrendered the kingship to him and he founded the present Bafut dynasty (Hawkesworth, 1926).

The Bafut palace and, by implication, the central government, remained in Mbebeli for some time. Later, one of Firlu's successors moved it from the rocky and hilly location of Mbebeli to its present location at Mumalaa (Ewusi, 1978). Traditions attributed the initiative of this transfer to one of the Fon's wives who went fishing with other women in the Nkinsari stream at Mumala. On exploring the surroundings, she discovered some level land. Thinking that it would make a suitable site for a palace, she took the idea to the authorities. They readily endorsed the idea and effected the move. But, soon afterwards, something went wrong. Fearing that the woman might start feeling proud and hence make unacceptable demands for preferential treatment, palace diviners recommended that she should be eliminated. She was thus killed at a nearby square called Nsanimunwi. It is held that a pit trap was prepared and camouflaged. Over it was placed a ceremonial stool. Lured to the place under the pretext that she was being honoured, the woman sat on the stool and fell into the pit which became her grave. Tradition nicknamed this unfortunate woman Ndiela'ambwe, meaning someone who did something good but was rewarded with evil (The Bafut Public Confessions, 1996). The Ndiela'ambwe issue is an episode deeply embedded in the collective psyche of the Bafut people.

The expansion of the Bafut *fondom* from its new base at Bujong in Mumala'a could be traced to both internal and external factors. The key external factor was the impact of the Bali-Chamber incursion into the Bamenda area at the beginning of the nineteenth century (Jeffreys, 1962; Chiver & Kaberry, 1970). The Chamber incursion apparently affected the balance of power in the area. It brought them into conflict with the bigger chiefdoms and induced the smaller ones to seek refuge under the bigger chiefdoms. Bafut after a clash with the Chamba, became a rallying point for refugees from the south and southwest of the Ngemba area (Tweed, 1926). Some of them eventually returned to their places of origin while others remained. Among them were the chiefdoms of Mambu and Mankanikong, both of whom claimed to have come from the same area, Mberewi (Chilver & Kaberry, 1970). These chiefdoms became tributaries of Bafut through voluntary submission. How voluntary was the submission cannot be ascertained for conflicts and misunderstanding periodically flared between these two chiefdoms and the central authorities.

Another external factor was land hunger which led the Bafut to expand northwards into the Mentchum valley around the middle of the nineteenth century. It was also dictated by the desire for tribute. In a series of raids, the Bafut conquered peoples such as the Otang, Buwi, and Bugri. Others, such as Mbakong, Manta, and Butang, voluntarily submitted (Warnier, 1985). Such expansion was what made Bafut to be termed a conquest state. Another area which Bafut brought under its control was Njimuya, across the Mezam River, with its rich savannah farming and hunting grounds. Apart from subduing the

inhabitants and making them pay tribute, some Bafut started migrating and settling there. The Fon of Bafut personally offered land and raffia bushes to his well-wishers and strangers in this area.

The migration of Bafut people piecemeal into uninhabited areas in search of fertile land was a key internal factor of *fonship* and power politics. The necessity to expand was due to a population increase from the middle of the nineteenth century resulting from conquest. According to Warnier, quoting from Pavel, the German officer who led expeditions into the Northwest, Bafut, in 1890 had around 25,000 inhabitants from diverse origins (1985). This population needed land for sustenance. Bafut people thus started moving and settling in the Mentchum valley and Njimuya. This trend continued as migrants moved later on into Agyati, Ntabuwe, Akosia, Nforya and very recently Nsoh. As they moved into these new lands the Bafut elements preferred to continue to maintain their allegiance to the Fon of Bafut rather than to the chiefs of the area. That is what gave Bafut the characteristics of an incorporative kingdom, following Vansina's typology (1962). Such an arrangement showed that initially, the act of incorporation was peaceful but it would sooner or later breed conflicts, as local rulers found their power being whittled down by the encroaching influence of the central authority. One thing to ask at this level is how the Bafut indigenous government was sustained. The maintenance of government everywhere requires some strategies and mechanism. These came from the Bafut people themselves. The Fon was the custodian over the land he had overall control of the economy but it was the people who exploited it to maintain the palace. It was incumbent on them to do so without demanding payment in return. Whatever the Fon gave in return was only token appreciation. Though some people considered it a privilege and honour to respect the authority of the palace, some usually resisted. Sanctions followed any recalcitrant behaviour with the intention of resolving the issue at stake. However, this sometimes result to conflict and power tussle. The people in search of an instrument of governance, established a frame of traditional authority to assist leaders administer the people peacefully.

### **The Frame of Traditional Authority**

Traditional authority in Bafut operated within a given frame and context. A local network existed in the community that was not written down in any form of constitutional law. It appeared as a moral code of customs and traditions which the people had to implement in their daily life. The respect of customs by the people was the key instrument of conflict resolution and peace building in the *fondom*. The non-respect was tantamount to conflict given that the leader (Fon) was intolerant to acts that violated the traditions of the land. In fact, it was at the level of executing tradition that the authority of the leader was strengthened, weakened, or generated power tussle within the political arena and community as a whole.



Traditional authority and its practice in Bafut began at the level of the family - the basic unit of society. Bafut people adopted a polygamous institution of marriage. Constant quarrels and hand fisting were rampant in these families because each member struggled to protect his or her interest or grasp as much of the scarce economic resources available for the family. Such struggles impacted on the authority of the family head that had to use authoritarian methods to ensure peace amongst his family members. The royal family at the central palace was often a large one with many wives and children. In the reign of Achirimbi II, he had about 50 wives and over 100 children (Ritzenthaler & Ritzenthaler, 1962). The personal interest of its members generated tension within the family. Since the family and its head were directly linked to power, problems within it had an impact on traditional authority in Bafut. The Fon needed to be authoritative to manage his large family. Such attitude became conspicuous in his governance and administration of the entire *fondom*.

The second entity identified with authority within Bafut was the lineage (*acheu*). The large polygamous families in Bafut, led to the formation of very large and extended kinship groups called *acheu*. Survival of individual interest here depended on how the concern was capable of imposing his authority in the system or lineage. The struggle for dominance and authority in the lineage developed zeal among members to extend their influence to other political issues and institutions in the society. Hence, the authority of lineage heads became elastic and influenced the society in different ways and at different levels, and for different motives.

The descendants of the Bafut royal family are spotted all over Bafut. They constitute a lineage called *acheu firilu*. In recent times Abumbi II renamed the lineage *acheumefor*. In the quarters and villages of Bafut, these descendants formed houses called *ndabelubentoh*. Here, they did not only defend their personal interest and that of the royal lineage, they acted as spies on the sub-chiefs, quarter heads and other traditional authorities in the villages. All acts committed by the villagers, chiefs and quarter heads, which defied tradition or challenged the authority of the Fon and his lineage in Bafut were reported to the palace by the *belubentoh* (Ngwa, 1996). Through the *belu*, the instrument of justice and conflict management designed at the central palace by the Fon and *kwifor* was transmitted to the quarters and villages. Hence, chiefs who fomented conflict in the *fondom* or arrogated something meant for the palace had their authority questioned by the *belubentoh*.

One aspect of authority in Bafut is that the traditional leaders (*fon* and chiefs) were first of all considered as lineage heads before being leaders in general. Hence, we may talk of *acheufirilu* or *acheumefor* in the central chiefdom (*mumalaa*), *acheuntoh* in Bawum, *acheuwanki* in Mambu, *acheutanga* in Mankanikong and many others. Within the villages (chiefdoms), other powerful lineages existed and their influence on political issues could not be minimised. They were conferred some specific political duties to handle in the

villages. No other lineage was permitted to perform such duties. For instance, in Bawum, three powerful lineages emerged, namely *acheu* Mufersi, Ntungia and Ntoh. Ntoh had to rule in consultation with *acheu* Ntungia whose lineage head was the leader of *kwifor* Bawum. In Mambu, *acheu* Munsoh, Tamfuh and Wanki emerged. In Mankahnikong, we had *acheu* Wanzie and Atanga. The political influence of these lineages went beyond their chiefdoms given that some were charged with the duty of appeasing the gods of the land for the well-being of the entire *fondom*. Thus, it could be said that all the chiefdoms of Bafut had powerful lineages that acted as political bulwarks. An interwoven network of authority was created amongst them, thus making power tussle inevitable in the system. The Fon and the central palace acted as the pivot or centre of action, ensuring that peace reigned at all times and in all circumstances.

The next authority was that of Quarter Heads (*betabenekuru*). Villages in Bafut were divided into quarters. A group of compounds or lineages made up a quarter. The administrative structure of the quarter was carved out into small groupings of about ten lineages each, called *ayenda*. Lineage heads from the *ayendas* worked their way up to constitute a council of quarter heads called *betabenekuru*. Their positions in the council were not hereditary. Membership into the council was through the gift of food and drinks to the palace authorities and older members of the council. However, the Fon had the prerogative to appoint a quarter head of his choice. The authority of the quarter head was enforced by a traditional rite performed on him by the Fon and central palace authorities (Chilver & Kaberry, 1963). In the course of this rite, the concern pledged total loyalty and allegiance to the Fon and palace institutions. He was instructed to rule Bafut people in his quarter in the name of *takumbeng* and *kwifor*. They were asked to use the authority conferred on them to maintain peace in their quarters. In fact, the pledge of loyalty and allegiance was exploited by the Fon to curb the power or excesses of political rivals. By so doing, he ensured peace and tranquillity within the political arena.

Lineage heads from common origin and princes were nominated as *betabenekuru*. Amongst the *Betah*, two were further nominated to constitute the senior quarter head and the assistant. One of them must be a prince and the other a commoner (Hook, 1934). For the fact that the princes of the royal family were brought up in the spirit of absolute authority and dominance, they imposed their will with impunity on the rest of the council members and people in the quarters. Princes were dreaded and feared in the quarters. Sometimes, they challenged the authority of village heads (chiefs) and threatened to dethrone them. Besides, all *tanekurus* (quarter heads) were compelled to be members of either *ndakwifor* or *ndatakumbeng*. In this way, the many quarter heads in the villages of Bafut were directly linked to the political system at the central palace. The prerogative accorded the Fon to appoint quarter heads, made his palace the hub of political action and issues in the *fondom*. In other words, the Fon's palace became the reference point for all problems and resolutions.

Authority was also vested in village heads called *batangcho*. The English equivalence of an *atangcho* is a sub-chief and the word is used here to distinguish the authority of the *atangcho* from that of the Fon who is the paramount Chief of Bafut. Unlike the position of the *tanikuru*, that of the *atangcho* is hereditary. The *tanikuru* is like a helper to the Fon or *atangcho* in the quarters. Also, *batangcho* are believed to be leaders of ethnic groups that migrated into Bafut and who have succeeded in maintaining their political identity and different languages in the area. They have dynastic claims which make their position hereditary. These leaders were also allowed to use their customs and traditions of origin to administer their groups or villages in Bafut. They were also permitted to use their languages of origin and to manage the problems of their people following their customs and traditions of origin.

However, the political institutions of the *tikar* group seemed to have been a source of inspiration and admiration to many of these leaders. They decided to copy and used to administer their people. Such attitude, rather than create a harmonious and peaceful atmosphere in the *fondom*, prepared grounds for future political tussle. The institutions were used by the Sub-chiefs to challenge the authority of the Fon, thus creating conflict within the political structure. The authority of the *atangchos* was further enhanced by hereditary royal titles accorded them over their villages. Their royal families were clearly distinct from that of the paramount chief (Fon). The influence of its members was limited strictly within their villages. In no occasion was the status of a prince from such royalty equated to that of a prince from the central palace. The following sub-chiefs benefitted from this arrangement: Ntoh Bawum, Wanki of Mambu, Atanga Muwah of Mankahnikong, Talah of Mankwi and Banji, Nano of Obang. Others emerged to join the folk with time (Aletum, 1974).

In spite of this, the authority of these leaders gradually withered to the advantage of the Fon and his palace. How did it happen? Bawum and Mambu are very close neighbours in upper Bafut (*ntare*). Both leaders developed an aggressive and expansionist tendency which finally indulged both villages in a border conflict in the 1950s. Due to the uncompromising attitude of the two leaders, the Fon, Achirimbi II, was called in to resolve the problem. The verdict was in favour of Mambu. This permitted the Fon to win the loyalty and allegiance of the Mambu leader who saw him as a shield against his enemies. On the part of Bawum, she was unable to protect her boundaries with *kwen* and *Mankon* at *Mubang*, *Swei* and *Nsoh*. The Fon was obliged to organise his militia to push out the invaders. To protect the land, people and princes from *mumalaa* were encouraged to settle at *Nsoh*, *Swei* and *Mubang*. These settlers eventually paid allegiance to the Fon of Bafut and not to Ntoh Bawum. He had lost grip and authority over these areas thus reducing his influence to a very small and accidental piece of land around his palace at Bawum. In lower Bafut (*mbunti* area), inter-village wars were fomented by Chief Nano of Obang and Talah Banji in the 1950s and 1960s (Ngwa, 2010). Talah Banji occupied Mankwi land on the borders between the two villages. The Mankwi people reported

the matter to Fon Achirimbi who intervened to solve it. Achirimbi did not only succeed in winning the loyalty of the Mankwi leader who saw him as a liberator and protector, but he reduced the authority of the Banji leader in the area. Achirimbi sent strangers, Bafut people and princes to settle in Banji. The people watered down the authority of Talah Banji as they paid their taxes directly to the Fon without passing through him. In a petition to the District Officer for Bamenda the Village Head of Banji wrote:

*The following people namely Wanki, Ndifobanyong, Lasarous Nche of Mankon, Muchi, Mfocham, Mundaban, Tangoni, Ngonga, Akimawa, Nyambu, some of whom are the Bafut people and strangers reside in my village Banji, and paying their taxes direct to the Fon of Bafut as being corrupted by One Nyambu of Bafut who is used as a tool by the Fon of Bafut to torment me and my people all the times. I had previously appealed to the District Officer that cairns be inserted in the boundary between me and the Bafut village in order to avoid this year in, year out discrimination... (Village Head of Banji, personal communication, August 3, 1954).*

These people went further to occupy raffia palm bushes from where they tapped palm wine and sent to the palace without consulting Talah Banji. The Fon, on his part, carved out good number of palm bushes and kolan trees for himself in Banji. He needed no permission from Talah to do so and Talah had no voice to question the action or authority of the Fon. In the 1960s, Nano, the village head of Obang invaded Mbakong and Ndong. The Fon, Abumbi II was called in to provide a solution. In fact, each time the Fon of Bafut was called in to intervene or mediate in a village issue, it was an opportunity for him to project his image and authority at the detriment of the village heads. That is how they lost their authority, thus making the Fon supreme in the entire *fondom*. One thing is notice here and it is the fact that the role of mediator in conflict resolution worked in favour of the Fon who exploited every opportunity offered by his political rivals. Though the Fon portrayed a 'predator' character in conflict resolution, it was a useful strategy for him to restore peace in the *fondom*.

As mentioned earlier, the titled sub-chiefs with dynastic claims developed centralised systems of government in their palaces similar to what was obtained at the Fon's palace. For instance, the chiefs retained their *kwifors* and other political institutions which are being used up till date. This made the chiefs to see themselves as equals to the Fon and not subordinates. They also considered the villages under their control as independent polities free from any subordination under a so-called superior leader. When the Fon and central palace authorities discovered that the sub-chiefs were effectively using the traditional institution of *kwifor* against his authority, he embarked on their seizure. In fact the *kwifors* of Bawum and Mambu were seized thus projecting the authority of the Fon in these chiefdoms. Many other royal Paraphernalia belonging to the chiefs were seized. For instance Chief Ntoh of Bawum wrote to the prime Minister of West

Cameroon complaining about the treatment meted on him by the Fon and his children in Bafut. Ntoh Bawum wrote:

*The Fon and his children were against me. Ngwa Chunga, one of his sons on 8/2/68...got me beaten and seized my traditional walking stick, my traditional bangle and umbrella from me and took it to the father. Since when I was installed in my father's throne in 1962, I have never been at rest in the hands of the Fon of Bafut. He caused the police to burn down my market... The Prime Minister was aware of the fact that this dispute is because of me (Ntoh), and the Fon of Bafut were not in terms. I Chief Ntoh am the same as the Chief of Kwen, Bambui, Bambili etc. under Bafut. And as to the chief of Ngembu and many others in Meta under his highness Fomunyen, they have their different boundaries. You cannot see fomunyen worry any of these chiefs why is it that I cry every day from the Fon of Bafut. I will be grateful if the Prime Minister can mandate a board of inquiry in Bafut for this issue in order that I should achieve my right in Bafut or else greater trouble may come. Nearly all my things and properties are being seized by the Fon of Bafut (Ntoh Bawum, personal communication, 1961).*

Actually, the tendency of copying the traditional institutions of the tikars by the chiefs made them to be caught in their own trap. When the British colonial masters came to Bafut, the Fon used the 'copy right legacy' to assert his superiority over the chiefs in the area. The British validated the argument and assisted the Fon to suppress all oppositions against him. Unfortunately, the seizure of things (*njoo*) and *kwifors* of other chiefs was not to the point of rendering their influence or interest ineffective. From time to time, they presented traits of competition between the central palace and the sub-chiefs. To survive from such traits and for peace to reign, a number of strategies had to be put in place by the central palace.

### **Strategies Used to Sustain Fonship in Bafut**

The first strategy is the position of *fon* itself. The throne of the Fon is sacred and surrounded by an aura of power and myth. All power and authority is focused on the personage of the Fon who is worshiped as a demigod. All other things in the polity are done in the Fon's name. His word is law and must be respected by all and sundry. As the society evolved from one period to the other, the Fon's authority and position over the throne was strengthened and reinforced by new strategies adopted to deal with the issues at stake.

Generosity and redistribution was used by the Fons to reorder an internal hierarchy in the area. Generosity in our context is the demonstration of selflessness and sympathy by a leader towards his people. Redistribution, on the one hand, is the ability of a leader to share what comes to him or belongs to him with his people and close collaborators. This is typical of African tradition and any occupant of a coveted political position of

leadership in society is naturally compelled to exercise it. History holds that the ruling dynasty in Bafut was created by an immigrant tikar leader, Aghaanjoo, who migrated with his followers from ndobo in North Cameroon to Mbebili in Bafut. On arrival, he met Nebachi, the indigenous leader who gave him accommodation. Nebachi had earlier hosted Ntoh Bawum who migrated with his people from *laante* around Bamenda up station into Mbebili. With the arrival of Aghaanjoo, three leaders and three different ethnic groups were living together in the Mbebili vicinity. In the character of the tikar leader he was generous and feed the people through effective redistribution. Nabachi, according to the people, was a selfish and hand fisted leader who failed to ensure redistribution or feed his people. A coup was hatched by the nobles of Nebachi for the the tikar leader to take over the throne and leadership of the area from Nebachi. The plot was materialised on the day of Nebachi's annual dance. The nobles of Nebachi encouraged the tikar leader to deliberately step on the toes of Nebachi. When he enquired to know the meaning of such act, he was told by the nobles that it was a sign of his deposition from the throne of leadership. Frustrated and wounded by this betrayal, Nebachi decided to commit suicide. The tikar leader took over the throne which his generations had occupied up till date.

It can therefore be said that generosity worked in favour of the tikar leader. He surmounted his subordinate position under Nebachi by feeding the people through effective redistribution. The gesture of the foreign leader was appreciated within a social context by the people but politically it was dangerous. Aghaanjoo used it as a ploy to seize power and assert tikar hegemony over old chiefs like Nebachi and Ntoh Bawm (Engard, 1989). Politically, therefore, the Fon's largesse never went for nothing. Thenceforth, their extension to particular groups in the area was used as a bate to lure 'preys' for subjugation and domination. On the one hand, selfish attitudes and tendencies henceforth became a cause of political wrangles between the Fon, his subaltern chiefs and people as a whole. In the reign of Achirimbi II, for instance, he was accused by his sub-chiefs for being crafty, hand fisted and selfish. This constituted one of the strong causes that provoked the chiefs to confiscate the Fon's tributes in the chiefdoms (Ngwa, 2010). The outcome was the struggle for secession that rocked the last two decades of Achirimbi's reign. Again, in 1968, a succession conflict occurred in the royal palace amongst the princes of the royal family. One of the causes of the conflict was the problem of generosity and redistribution. Some sub-chiefs opted for a change of the successor willed by Achirimbi because they claimed that he was going to continue or enhance the selfish attitude of the late father. The members of the royal family were also against the choice because according to them, the mother of the new Fon was crafty and selfish. As a would-be Queen mother, she would not be able to ensure generosity and redistribution to the entire royal family and the Bafut community as a whole (Ngwa, 1999). Hence generosity transforms situations of leaders in the political arena. The ability of the Fon to extend his largesse to the people was an impeccable instrument of conflict resolution. Through

this, the Fon impacted the hearts of his people who in their happy mood gave unflinching loyalty and support to their leader. A stable government under the firm control of the Fon was synonymous to the reign of peace and coexistence in the *fondom*.

A strategy of surveillance, to eliminate threat in advance was also put in place. After the death of Nebachi a thorough mechanism of keeping watch to eliminate political threat at all times was instituted. The stepping on the toes of Nabachi by a foreigner was a violation of his sacred personage in a public performance that was intended to reconstitute or galvanise his authority as the overall leader or chief in the area. But that was not the case as Nebachi turned out to be highly exposed to danger and detractors. Giving the sacred personage of the Fon, henceforth, an elaborate protocol and security procedure was put in place to ensure that no one ever touched the Fon in public. However, a few wives and retainers were permitted to get close to him and discuss with cupped hands in their mouth (Engard, 1988). From here emerged the bureaucratic and bottleneck procedures that were instituted in the Bafut palace. For somebody to see the Fon of Bafut (for anything) was like an elephant going through the eye of a needle. A number of procedures accompanied by payments had to be followed before seeing the Fon. Also, the stepping on the toes was now interpreted in various ways. For instance, if someone crossed his legs in the presence of the Fon, that was interpreted as claiming more rights or equal status with the Fon. The people learned to maintain peace by respecting these bureaucratic procedures and the dues that accompany them.

As society evolved the act of stepping on the toes of the Fon took a different dimension. It did not necessarily require the physical stepping on his foot in public. Any opposition to the authority of the Fon from whosoever and in whatever form, was interpreted as stepping on the toes of the Fon, thus an attempt to seize power. Within this background, Fons like Abumbi I and Achirimbi II were intolerable to challenges that tempered with their power and authority. They opted to crush all manifestations of such acts before the 'stepping process' ever mature to fruition. Here, a plethora of spies and acolytes of the royal palace were deployed in all the quarters and villages of Bafut to secretly monitor the daily activities of the sub-chiefs and report to the palace for prompt intervention. In fact a network was set up to keep vigil over the sub-chiefdoms and their leaders so that nothing ugly ever surfaced from their bosom. In the reign of Abumbi I, chiefs who used their *kwifors* to challenge the authority of the palace and its own *kwifor*, were reported to the palace for prompt seizure of the instruments. Spies from the central palace were deployed to waylay the *kwifor* on the least outing occasion and seize the instruments. In the reign of Achirimbi, chiefs who arrogated tributes from their people destined for the palace were reported by palace spies and Achirimbi II immediately engaged court action against them (personal communication, 1954). Abumbi II, on his part, sent his palace authorities and *kwifor* to depose chief Nanoh of Obang for inviting the *kwifor* of Kom to attend the death celebration of his late father without the permission of the central palace. It was through the forceful intervention of state administrators that Nanoh was

reinstated. In fact nobody stepped on the toes of the Fon of Bafut and went free. Many of such attempts were nipped by a network of surveillance before they matured. By so doing, the Bafut *fondom* became an epitome of peace.

The rule of the nobility (*bukum*) was instituted as an instrument of power politics in Bafut. After the episode at Mbebili, a new interpretation was given to the action of the nobles who plotted against their own chief Nebachi. The act was not a simple palace coup per se but a revolution which necessitated a radical reorganisation of the Bafut political set up. In this new dispensation, the influence of the chiefs of the ethnic groups in Bafut gradually disappeared from the scene of political importance. Nobles or councillors replaced the chiefs within the central palace politics. They became more powerful as the Fon used them to protect his own authority (as his kingmakers) and to clip the authority of his main rivals or challengers who were the chiefs (Nebachi and Ntoh Bawum) from whom the throne was seized at Mbebili. These nobles called *bukum* formed a powerful clique around the throne of the Fon and ensured that all moves taken by the sub-chiefs to destabilise the power and authority of the Fon were foiled.

However, in the new set up, Nebachi was recognised as *primus inters Peres* among the three main leaders of the area due to his historical primacy. Hence Nabachi and his family were represented in the new set up by one of his wives called Ndeulaa. According to history, Ndeulaa was the founder of the new palace site at Bujong in mumalaa (the depression). By virtue of this, Ndieula had her rank increased in the new government at Bujong. She was given immense honours and privileges as founder of the new palace site. This directly or indirectly projected the image and position of the indigenous leader, Nebachi, (her late husband), and his family line in the new palace set up. This was synonymous to saying that although Nebachi died, his spirit and power continued to reign. His political influence was still felt through Ndieulaa's coveted rank in the new palace government at Bujong. Here Ndieulaa developed an insatiable quest for power and honours as well as material benefits accruing from the system. She was seen as a threat to the Bujong government. Old memories of the late husband, Nebachi came back. Palace authorities quickly concluded that Ndieulaa manifested greedy and crafty tendencies in like manner as the late husband.

Besides, the persistent complains and requests of Ndieulaa represented a new Mbebili insurgence to get back the husband's coveted throne. Ndieulaa's powers were getting into excesses and she more or less became a potential threat to the system. It was possible for her to revert power to Nebachi's lineage if something was not done to check her overriding influence or quest for more powers. With this impending political threat, the palace decided to eliminate Ndieula. She was made to sit on a chair at a public site near the palace called Nsanimunwi. She was told that they wanted to honour her and attribute the honours and things she complained about. A stool was prepared over a dogged grave on which she was lured to sit for the traditional rites to be performed on



her. Once on the stool she sunk into the grave and was buried alive (Aletum, 1974). This act was the last successful plot against the indigenous leadership which completely effaced the dregs of indigenous political influence within the Bafut administrative system.

The death of Ndieulaa was an event that had continued to influence Bafut politics up till date. Scholars over the years have analysed the event from different angles. According to Engard, the unsatisfied demands of Ndieulaa did not only amount to an indictment of the Fon's generosity but was also a challenge to his capacity or ability as the sole redistributive focus in the kingdom. The complaint portrayed the Fon as a selfish and hand fisted leader. It was not different from the accusation earlier levied on Nebachi. Paradoxically, the nobles did not see the complaint of Ndieulaa genuine enough to dethrone a crafty Fon. Instead, they saw her complaint as an impending threat to the throne. Under the guise of saving the throne, the nobles took action against Ndieulaa and killed her. Engard further remarked that Ndieulaa replacing Nabachi in the political structure and clamouring for things (*njoo*) and power was in effect evoking the kingship which was seized or denied him. Ndieulaa died in the context of an enthronement ritual designed as though to crown her *fon* (1988).

However the issue here is that while the council of nobles did not tolerate Neba Chi's lack of generosity and redistributive spirit, when it came to Ndieulaa's questioning of the Fon's generosity, they became intolerable. Many Bafut people in recent times feel that justice was denied Nebachi and Ndieulaa more than any other political actor within the Bafut *fonship* (*nufor*) and political system. The saying that do unto others what you think they can do to you, did not hold within Bafut politics. Interest and selfish aims controlled political minds and the tendency was for the central palace to inflict on others what they will not want such to reprimand them for. In fact sympathisers of Nebachi and Ndieulaa hold that the accusation levied against the two, the Fon at one point was guilty of the same crime and deserved similar treatment or sanction. But the fact is that what took place under Nebachi was different from what occurred at Bujong. At Mbebili, the people plotted against a leader who did not show any iota of generosity. But in the case of Ndieulaa, she was honoured and given privileges and things (*njoo*). She requested for more indicating elements of greed in her character. The demand for more things was synonymous to seeking the throne or the position of the Fon and the things that went with such position.

The shameful stool on which Ndieulaa sat to be crowned Fon and died brought back memories of the crown of thorns which the Jews falsely placed on Jesus' head as their self-proclaimed king and crucified. The clergy in Bafut had never accepted that Ndieulaa committed any crime to merit such death from the palace. That's why the church in the 1990s called for a public confession from the Bafut people to appease the spirit of the innocent woman (The Bafut Confession, 1996). Based on the argument of the clergy many Bafut people concluded that the methods used by the Fon to maintain himself on

the throne or enhance peace in the society were markiavellic. But many political leaders can testify that in politics, such methods stand tall as useful instruments to enforce and safeguard the unity of a state. The authority of the leaders is also rescued in bubbling circumstances. Where they succeed, peace is restored and coexistence is maintained.

The mechanism of state formation and consolidation of power was set in motion to maintain peace and enforce the authority of the Fon. Bafut is one of the most heterogeneous polities in the North-West Region of Cameroon. How the people of such a diverse structure are held together under one paramount leadership is like myth to some people. The manner in which the polity was formed and the way power is being consolidated over it plays a pivotal role in holding the people together up till date. The Bafut ruling dynasty emerged at the new site of the palace founded by Ndieulaa in Bujong. The power and authority of the heads of this dynasty also grew along the lines of structural development and expansion in the area. Power was said to have been consolidated at the nucleus of the political structure following the elimination of opponents like Nebachi and Ndieulaa. From there, attention was tilted towards expansion. Small chiefdoms that were initially independent before the arrival of the tikars, were gradually incorporated by force or by guile under the authority and leadership of the tikar dynasty at Bujong. All new comers or strangers who migrated into the area were welcomed and accepted by the royal family. It was believed that the supply of agricultural labour and potters by the new comers will boost trade in palm oil and foodstuff production. All refugees, slaves and war captives were incorporated and their status transformed into free citizens with equal rights to a born Bafut (*jweejwee befeu*). Services to be rendered to the Fon and the entire royal household were to come from such people.

Also, the assimilation of strangers was imperative given that they were to be used to neutralise internal opposition, dissensions and detractors of the royal family. This arrangement, according to Warnier (1985), made Bafut to be open inside and closed outside. Strangers were admitted into the Bafut political system upon their declaration of unflinching loyalty and allegiance to the royal palace at Bujong. In return for the services, they offered to the palace, they were awarded titles and some rose to top positions of *nkum* within the nobility. The award of titles was accompanied by privileges, power and authority conferred on the individual by the Fon. For instance, a stranger who rose to the rank of a *nkum* was given a plot to settle in any village or quarter of his choice; he was given raffia and palm bushes to enhance his economic status. Some were given Bafut girls and princesses to marry, thus completing their assimilation process. The strangers had special mission to fulfil on behalf of the Fon and the central palace in the villages and quarters where they settled. They constituted cliques of palace acolytes who were determined to ensure that the authority of the Fon was respected in their areas of residence. The palace also used them to undercut the authority of leaders (chiefs) with claims to ancestral dynasties and ethnic origins in Bafut. In such circumstances, the Fon

appointed palace acolytes to positions of sub-chiefs and quarter heads empowered with functions and privileges similar to those of the Village chief. Through this, the central palace and the Fon succeeded in using strangers (new comers) to consolidate their grip over the peoples in the area (Engard, 1989).

From the central nucleus at Bujong in *mumalaa*, the tikars undertook an aggressive expansion to the periphery driven by political ambitions and economic motives. They often began by cultivating far off farms at the periphery. This was followed by the construction of farm houses, locally called *bush house*, which was used for agricultural purposes only. With time, these houses were transformed to permanent settlements or residence leading to the emergence of a new layout or quarter. Under these circumstances, people in Bafut intermingled and lived permanently together in a new quarter. The people will eventually set up a government for themselves. But such a structure in an emerging community required recognition and representation as a polity in its own right. At this point, the central palace authorities at Bujong came in. The princes of the royal family led the crusade to ensure that royal authority was implanted and respected in these emerging polities. The princes constructed a small thatched hut called *ndereh-takumbeng* at the ceremonial plaza of the quarter. This was the symbol indicating the presence of royal authority in the area. At the staircase of the *ndereh* a talking drum- *kwin* was placed. It was to be used to convey announcements and messages from the main one at the central palace to the people in the quarter. The *ndereh-takumbeng* was constructed in all quarters, new layouts and villages of Bafut as a symbol of royal authority. Every year, in the month of March, the quarters and villages organised repair works on the *ndereh* which in spite of its fragile nature, must never be allowed to collapse. Work on the *ndereh-takumbeng* was accompanied by traditional rites and ceremonies which compelled the people to pay tributes of palm oil and wine to the central palace (Ngwa, 2010). By this means therefore, the powers of the Fon and his palace were consolidated in all the nooks and crannies of the *fondom*.

In fact, the role of the princes in extending the authority of their father in the area was pivotal. Upon graduation from the palace, the princes opted to settle permanently in quarters, villages and sub-chiefdoms found at the periphery. This permitted them to exert royal influence and authority. They went further to challenge the authority of the sub-chiefs, thus reducing them to mere puppets in front of their people. In this way, the authority of high profiled leaders, like Ntoh Bawum, began to wither giving way to the primacy of princes and their *takumbeng* regulatory society. Engard (1989) remarked that Ntoh Bawum who was the third in command in the area dropped out of political influence. This was confirmed by the petition Ntoh wrote to West Cameroon government in 1963, about the attitude of the princes towards him. From the petition it was clear that the Fon of Bafut used his male children to dominate the political scene in Bafut thus ensuring that his power and authority prevailed over all dominions. The

role of the princes in maintaining peace in Bafut cannot be over emphasized but what is clear is that there was a systematic method of assimilation that was put in place to simultaneously enhance royal power and authority in the *fondom*. The existence of peace in Bafut according to princes depended solely on the authority of the Fon and the central palace.

The *kwifor* regulatory society at the central palace was not left behind. The *kwifor* represented the estate of the commoners in Bafut. Commoners here stood for the entire Bafut population that was not related to the royal family. The *kwifor* house follows a stratified bureaucratic hierarchy where members begin as servants to the Fon and the system and then rise to the noble position of *nkum* and kingmakers. As nobles and kingmakers, *kwifor* members felt that they were closer to power than the leaders of the peoples in Bafut. The political arrangement at Bujong showed that the Fon shared power with *kwifor* and not with any other chief or leader. The same arrangement came out with a tradition which made the Fon a child of *kwifor* (*mookwifor*). By this arrangement, *kwifor* had the obligation to protect his child- the Fon from all dangers, opponents and detractors. Thus, there was an umbilical cord of political attachment and commitment to one another between the Fon and *kwifor*. *Kwifor* ensured that checks and balances were made to eliminate excesses in the powers of the Fon as he went about his royal duties. Yet *kwifor* was alert making sure that security was tightened round the throne to guard against any iota of threat that dared to depose the Fon. Instances are quoted in Bafut history where *kwifor* mythically or physically silenced contestants and opponents of the throne. In fact no chief came round the throne or passed on the corridors of power when *kwifor* was concerned. In this way, the nobles and kingmakers of *ndakwifor* seized the opportunity provided by the house to usurp the position of the sub-chiefs in Bafut. *Kwifor* members installed themselves within the power system as unbending political allies of the Fon. They did all things in his name and no other person. *Kwifor* members projected the image of the Fon and his authority in the entire Bafut land. In return, they were compensated with higher positions in the political set up. While the authority of the occupant of the throne grew stronger that of his rivals dwindled. This accounts for the reason why at the inception of colonialism, the colonial masters met only one leader who completely held sway over the people in the area. The British administrators in Bamenda remarked that the only leader of substance and authority over the people was the Fon of tikar origin. In this light, they conferred colonial authority to him by making him paramount Fon of Bafut, President of the Native Court and administration in Bafut Native Authority Area (SENA). He was the only leader to fly the Union jack over his palace and to own the portrait of King Charles VI. A blend of colonial and traditional authority made the Fon so full of power. All other leaders in Bafut were classified as *persona non grata* until 1977 when the Cameroon government issued the Chieftaincy Decree classifying traditional leaders in Cameroon (Official Gazette of the United Republic of Cameroon, July 15, 1972).

In fact, the Village heads (chiefs) in Bafut had over the years accused British colonial authorities for assisting the Fon to usurp their powers and extend his rule over their people. The British from the outset made their point clear as far as issues of power politics were concerned. Using history and evidence from Hawkesworth's Intelligence Report on Bafut written in 1926, the British argued that they met a society already existing. In this society, people of Widikum migration existed. They were conquered by the Fon of Bafut's tika ancestors not long after the tika invasion some 150 years ago. Up to 1948, the leaders of the Widikum groups lived not as independent village heads but as sub-chiefs of Bafut. They paid tributes to the tika Fon as a sign of their respect to his superior position and authority. It was common knowledge that the conquered vassals of the Bamenda Fons have always paid tribute and rendered services though the details of these tributes and services are nowhere officially recorded. The Widikum sub-chiefs and their people had never contested the right of the Fon to receive tribute or to be independent until 1948. In conclusion, the The Acting Resident for Bamenda Province said: "It would be unwise to take any administrative decision... in the absence of any evidence that the Fon seeks to impose harsh and unbearable rule and tributes on his sub-chiefs. Where there is any dispute over the customary rights and duties of sub-chief or his people, those disputes can best be determine in a court of law ( Acting Resident, personal communication, 1954).

The British administrators spoke as people who have built empires (all over the world) through conquest and thus understood the nature and practice of power and authority in such lands. The court of law referred to was the Native Court instituted by the British to uphold the native laws and customs of the people so that indirect rule can succeed. The Fon of Bafut was the President of the Bafut Native Court and it was obvious that he could not take a decision against himself or permit that his authority be challenged by whosoever. In 1963 the Fon made it clear to the Senior Divisional Officer (SDO) for Bamenda Division that: "The laws that bind Bafut people are one and do not exempt parts of the land that will in turn exempt Bugree, a quarter in Bafut. These people are in my land they want to be set free... I should make a boundary in my land for them? ... this matter ... is really a painful wound in my heart now and can only be healed by a better step" (Achirimi II, personal communication, 1966).

The declaration and request of the Fon took the West Cameroon Government authorities to task, obliging them to declare their position concerning the power wangles and authority in Bafut. In the matter of the Bafut- Banji dispute, the SDO for Bamenda declared:

*Banji people are of widikum origin. They are amongst the widikum people who were conquered by Bafut in the past, and although in reality a quarter of Bafut, Banji is regarded as a village in so far as certain customs are concerned by courtesy of the Fon. But all quarters of Bafut farm widely throughout the area. They do not stick to accurately demarcated enclaves, and they have not got*

*boundaries within Bafut. This suits all the quarters except Banji. Banji would like a boundary, but it would be unwise to agree to this. It would lead in due course to an attempt to set up a separate village with a 'village head' who would want to regard himself as an equal to the Fon. Although this dispute over headship has been reported to me, I tend to believe it falls within the terms of the recognition of Chief's Ordinance (SDO for Bamenda, personal communication, 1966).*

From the declaration of the SDO, we observed that both colonial and West Cameroon government authorities used conquest to justify the powers and authority they invested in the Fon of Bafut at the detriment of other leaders in the area. This brought to question the legality of the conquest syndrome as an instrument of *fonship* and power politics in Bafut. It was in this light that an investigation was made on the mechanism of conquest put in place (from inception) by the *tikar* leader and his people.

According to Warnier, *fonship* and power was influenced by conquest and local enclosure system designed by the central palace authority at Bujong. Enclosures were effected in the *mbunti* region (lower Bafut) during the last third of the 19<sup>th</sup> Century. Here, the assimilation of migrants and favourable matrimonial balance occurred. Bafut men and descendants of the royal family got married to women from the *mbunti* area. They also occupied and owned large farm lands in the area (1985). In the 19<sup>th</sup> century, the Fon of Bafut effected an internal territorial reorganisation which was to permit a smooth extension of his authority in the *mbunti* area. The Fon divided Bafut into two areas of jurisdiction or territorial units. One was to be administered by *kwifor* and the other by *takumbeng*. Hence Bafut people had to become acquainted with appellations like *akoohkwifor* (*kwifor's* bush) and *akohtakumbeng* (*takumbeng's* bush). These palace institutions took over the role which quarter heads, lineage heads and village chiefs played in territorial administration. Anybody who was interested in territorial administration had to belong either to *kwifor* or *takumbeng*. It was in this light that quarter heads who had not yet attained the rank of *nkumkwifor*, (*kwifor* noble) precipitated the payment of his dues at the central palace to gain promotion and be part of the system. Here, administrative issues of the *fondom* were decided by *kwifor* and *takumbeng* inside the palace and nowhere else. This was a ploy to canalise all territorial powers in the entire *fondom* and place under the control of the Fon. Some sub-chiefs opposed the arrangement because they felt that the business of territorial administration was their inalienable right. They argued that they brought their peoples into Bafut and therefore cannot afford to have their authority stripped over them. The result of this revolt is not our focus in this paper. What is of interest to us are the complex political issues that provoked the reform.

The Fon and his palace authorities wanted to ensure a steady flow and supply of tributes to the palace from all the territorial units that make up the *fondom*. In the case of lower Bafut, most of the Bafut wars were directed towards the *widikum* migrant groups in this

area. The tikar leaders made this area their tribute zone with the obligation to supply the central palace (on annual basis) with palm oil, ivory, smoked fish and bush meat. War captives from this region became *nchindas* (servants) at the royal court of the Fon. Most of this area constitutes the Bafut forest with wild game of various types. The Fon of Bafut had declared this forest reserved for royal use only. By this no other person had the right to exploit the resources in this forest for personal use. The felling down of trees and the hunting of animals in this forest were to be authorised by the Fon and must be done in his name. Any animal caught in this forest must be taken to the central palace at Bujong. This was native law and custom, and anybody (irrespective of who you are) who disobeyed it committed an affront against the authority of the Fon. History tells of hunters and chiefs who attempted to violate this custom and were severely sanctioned by the central palace authorities (Ngwa, 2010). The fear to be sanctioned permitted the power and authority of the Fon to be respected throughout Bafut. It also permitted peace to reign until 1948 when colonial rule polluted the traditional set up and many sub-chiefs induced their people to violate the custom by refusing to tender tributes of agricultural products and animals to the Fon.

Furthermore, *fonship* and power politics were intricately linked to the economic set up in the area. The economy was fuelled by the exchange of primary products and farm produce. Trade brought the *ntare* people, the *mumalaa* and *mbunti* people together. Each group or people brought what was best produced in their zone for exchange at a central point in *mumalaa*. The expansion of trade necessitated the creation of a market which was eventually located near the palace and named after the Fon (*mutaah mfor* meaning, Fon's market). It operated on every eighth day of the week following the traditional calendar. The central palace used the market to enforce its authority over the entire *fondom*. On market days, instructions were given to the Bafut community between 12 noon and 1pm. Here, the *mabooh kwifor* accompanied by top ranking nobles and kingmakers of the house, led a procession to the market centre (Ritzenthaler & Ritzenthaler, 1962). The talking drum placed at the market summoned everybody to stop all other activities and listened to *kwifor*. All instructions and announcements were made in the name of the Fon and the ancestral kings that have passed on before. At the end of the announcements, *kwifor* instructed those present to take home the news and inform those who were not present so that they can together execute. Defaulters were warned in advance of the pending doom or sanction that awaits them at the central palace. No other leader in Bafut had the opportunity to have a market that assembled the entire Bafut population on one spot as was the case here. The Fon's market thus became an instrument of power politics in the hands of the central palace. Through it, the power and authority of the Fon was felt in all the corners of Bafut. During the reign of Achrimbi II, the hearts of all animals slaughtered in the market were taken to the palace as tribute to the Fon (Christina Lum Aboh, personal Communication, January 6, 1998). In the wake of conflict between the Fon and his sub-chiefs in the 1980s and

90s, the chiefs asked their people to boycott the Fon's market at *mumalaa*. The reason was hardly understood by many. It was because the market was a political instrument manned and used by the central palace to do its political bidding.

Also in recent times, the sub-chiefs attempted to destabilise the *fondom* by fanning secessionist struggles to break away from the main set up (society) and establish autonomous chiefdoms in Bafut. The peoples on their part developed strong loyalties and attachments to their leaders. They revived old traditional practices and customs of origin which had long been suppressed by the ruling dynasty at Bujong. When the Chieftaincy decree was promulgated in 1977, four years after, some of the village heads (sub-chiefs) were made second class chiefs within the Bafut *fondom*. This was interpreted by the chiefs (*batangcho*) concerned as a government legalisation of the struggle for secession and full autonomy which they began in 1948. In this light, the *batangcho* challenged the Fon's authority through the violation of native laws and customs related to his rights and attributes. They rejected the traditional title of *atangcho* and adopted for themselves the title of *fon*. The authority of the Fon over the sub-chiefdoms began to dwindle.

In the 1940s, Fon Achirimbi II was supported by the British colonial administrators in Bamenda to wade off the balkanisation traits orchestrated by the chiefs of Obang, Banji, Otang and Bawum. Achirimbi was categorical that any chief who wished to declare his independence from Bafut should leave or do so somewhere else and not on Bafut soil. As long as they continued to live in Bafut, they must recognise the superior position of the Fon and respect his authority. As mentioned earlier, the British colonial authorities validated the declaration of the Fon<sup>1</sup>. When Abumbi II took over the throne in 1968, the *batangcho* (sub-chiefs) took advantage of his youthfulness to continue their secessionist struggle. Abumbi drew the attention of the chiefs to his late father's declaration and went further to state that his forefathers had sacrificed arms and people to provide security for the entire Bafut *fondom*. They liberated the land from neighbouring occupations which sub-chiefs like Ntoh, wanki and Talah Banji were responsible. Within the *fondom*, instability reigns due to turmoil caused by these sub-chiefs. They provoke situations which they themselves are unable to resolve. Such problems had reduced them to lackeys – a feat they have refused to recognise. Abumbi insisted that the sub-chiefs must accept their subordinate position in Bafut. To match words with action, the central palace authorities embarked on cracking down the authority of the sub-chiefs through the appointment of third class chiefs with equal traditional status, functions and attributes to those of the second class chiefs. The direct blood brothers of some of the chiefs were appointed by the Fon (as third class chiefs) with the mission to undercut the authority of the sub-chiefs (*batangcho*) in their villages. By this, the Fon's authority

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1 See the declarations of the Colonial and West Cameroon government authorities in pp. 18-20 of this paper.



was enhanced over the *fondom* though within the context of political conflicts. Peace was also maintained and the unity of the diverse people of Bafut was kept intact.

## Conclusion

We set out to investigate on *fonship* and power politics in Bafut. We were particularly attracted by the fact that in spite the diversity of the people in the area and in spite of the political wrangles amongst the leaders the society is held intact under the supreme control and leadership of the Fon at Bujong. This caused us to dig into the mechanisms and political manoeuvres that were put in place to enhance the authority of the Fon in the heterogeneous society and, also, to see how the methods employed were able to manage or resolve conflicts amongst the leaders in a bid to maintain peace in the *fondom*. We saw a number of strategies which enabled peace and *fonship* to triumph in Bafut. Most of them were embellished in the traditions and customs of the people. We saw a ruling dynasty suffocated by power tussle thus making the political environment and system complex. Yet the system was able to contain pressure from opponents and detractors of the throne for decades past. We understood that conflict is a characteristic of power politics. No political system is free of conflict for there shall always be ambitious detractors with vested interest. Thus, the ability of the Fon to hold Bafut together under his control and ensure peace, makes the *fondom* a perfect example of unity in diversity and master of the politics of coexistence. This distinguishes Bafut from the other *fondoms* of the Grassfields<sup>2</sup>, thus suggesting that power is not universal. It is exercised within a given context and with its own peculiarities. For *fonship* to survive in a boiling society (as Bafut) it requires a leader with exceptional political skills and mechanisms. The rule of the Bafut Fons (from inception) has proven that power is not given to who wants but to who can. The existence of peace does not negate conflict. It all depends on how the leader manages the crises according to the methods or instruments at his disposal.

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# Sub-Saharan Africa: Societal Reintegration of Ex-Militant Youths

Jude Kenechi ONYIMA

**Abstract:** *This is a study of how militant youths in Sub-Saharan African conflict areas reintegrated into civilian life after they were granted Amnesty. Specifically, the study explored what reintegration means to different segments of the society and how the amnesty programs fit these descriptions, the extent to which the ex-militants are reintegrated into civilian life socially, economically and politically, the contextual factors that make reintegration difficult and how the different forms of capital acquired by the ex-militants during and after the crisis have transformed. The area of study was the oil rich Niger Delta region of Nigeria where sixty ex-militants and eighteen community leaders from Ijaw, Urhobo and Itsekiri ethnic groups were selected for the study. Questionnaire, interviews and focus group discussions were employed to generate the needed data. Findings revealed that the way the reintegration package was carried out fell short of what the ex-militants and the communities perceive reintegration to be. As a result, the ex-militants have not been effectively reintegrated into civilian life. Factors such as failure to address the cause and effects of the conflict, alienation of the communities in the amnesty program and inability to find substitutes for the ex-militants hindered effective reintegration. Meanwhile, the different forms of capital acquired by the ex-militants have undergone some transformation much of which was used for clandestine activities. The study recommends that reintegration exercise should be based on the context that produced the conflict and that communities should be directly involved in its design and implementation.*

**Keywords:** *Reintegration, Niger Delta, ex-militants, Amnesty.*

## INTRODUCTION

The Nigerian Niger Delta, a home of about 30million people with over 63% youth population, encompasses about 60 of Africa's largest mangrove forests and stretches over 20,000km<sup>2</sup> swamps of the littoral fringes of Nigeria (Afinotan&Ojakorotu, 2009; Chukezi, 2009; Azaike, 2007). In spite of the huge oil revenue derived from the region, the region has become a place of frustrated expectation. This has inevitably transferred

Jude Kenechi ONYIMA

Nnamdi Azikiwe University,

Awka, Nigeria

E-mail: kcdoniel@yahoo.com

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a siege mentality among youths who feel condemned to a future without hope. As a reaction to widespread poverty and deprivation, the youths adopted confrontational strategies to addressing the problem. This action resulted in the emergence of several militant groups who resorted to the use of sophisticated arms to draw the attention of the multinational oil companies and government to their collective travails. For more than four years, the region was known for high profile kidnapping of expatriates and their family members, destruction of oil facilities, oil bunkering, hostage taking, shoot-out with police, armed attacks, bio-chemical attacks, assassination, sabotage and extortion (Ajayi, 2010; Okonmah, 2010; Akinwale, 2010). The fertile ground for these clandestine activities was laid by the activities of foreign oil multinational companies and government insensitivity since 1956. To address this militancy and its attendant consequences, the Nigerian government initiated an amnesty program.

According to Hernrad (1999), amnesty is defined as a strategic state policy which takes the form of executive or legislative clemency in which offenders or those involved in illegal activities are formally pardoned and all records of their trials, accusations, convictions and imprisonment cast into oblivion. At the end of the amnesty offer made by the federal government, over 30,000 militants 'repented', surrendered their arms and ammunitions, pledge full allegiance to the government and submitted to the demands of the amnesty program. The Amnesty Program, which commenced in 2009, is meant to last till 2015 when the repented militant must have been effectively reintegrated into their communities. The first phase of the program was disarmament, the second phase was rehabilitation and the third phase is reintegration into community life. Relative peace has returned to the region and militancy has been reduced to the barest minimum. Oil production has peaked to 10 years high and rate of crime has gone under control.

However, it is not yet time for celebration as majority of the ex-militants are returning home from rehabilitation and the Amnesty program is winding up. The ex-militants need to get employment, get married, contribute their quota to economic development and become part of their community. But to what extent are they willing and able to reintegrate into community life after living for years in the creeks (forest) and how willing are their communities to reintegrate them after causing them so much pain. This circumstance raises a number of questions because the ex-militants have come of age, they need to assume responsibility, serve in various leadership positions and contribute to community life.

Indeed, these youths have been used by politicians for their selfish motives, they have rich contacts, possess different political alliances (godfathers), perceived to be criminals by some segments of the community and have made much money from illegal oil bunkering (Okonmah, 2010; Olukunle, 2010; Ikelegbe, 2014). How has things changed after five years? Has there been any change in the way the ex-militants are perceived by their communities? To what extent are employers of labor willing to give them jobs,

knowing their past records? Would parents be able to allow them marry their children? Would they be allowed leadership roles in their community? Would the ex-militant be willing to accept the paltry salary from employers in place of huge revenue they make from oil bunkering? How would non militant youths relate with ex-militant youth within the same community?.

Providing answers to these questions is germane for some important reasons. Firstly, the monthly stipend paid to the ex-militants as part of the amnesty program will soon come to an end and many of the ex-militant who depended on it will experience socio-economic shocks. Secondly, ineffective reintegration/alienation could make the ex-militants to go back to their former lives. The situation will be worse owing to the fact that majority of non-militant youths now feel that 'crime pays' since they were not given the same privileges the ex-militants enjoy.

In this study, the researcher examined the interface between indigenous reintegration logic and state-centric reintegration process. He explored the indigenous logic from the perspectives of cultural ways of reintegrating offenders, the views of warlords and their subjects, the views of non-militant youths, community perception of the ex-militant after the amnesty (possible stigma) and the new dynamics in elites pacts. The state-centric process was questioned in terms of the how the ex-militants were able to reintegrate socially, economically and socially, the meeting point or the missing link between the indigenous and state-centric reintegration logics and the nature of transformation that has happened to the different forms of capital the ex-militants acquired during the period. Four research questions guided the study: (1) What does reintegration mean to different segments of the society and how did the state-version of reintegration fit these descriptions? (2) Are the ex-militant actually reintegrated into civilian lives socially, economically, politically, in practice, in habits, in connections and in networks/pacts? (3) What are the contextual factors that make reintegration difficult? and (4) How has different forms of capital acquired by the ex-militants during and after the crisis transformed?

The study has theoretical and practical relevance especially in the area of theory building in Disarmament, Demobilization and Reintegration (DDR). Despite the growing attention given to DDR process in the last 15 years, understanding of the problem is still limited (Nilsson, 2005; Rugumire-Makuza, 2013). There is no acceptable theory on reintegration presently, except some assumptions from various studies about why reintegration process succeeded or failed. This study will contribute in the area of non-state mechanism for reintegration and strengthen the missing link between the state and non-state reintegration mechanism. It will reveal contextual factors that make reintegration difficult as well as increase understanding of critical fabrics of reintegration from a bottom-up approach unlike top-down approach that is popular in many African countries (Rhea, 2014, Kigma, 2000). Generally, reintegration is seen from socio-political

and economic perspectives. This study, as in Kaplan and Nussio (2012), will explore the relevance of anthropological perspective in understanding reintegration and resettlement. There is a growing literature on clientele and political patronage but little attention has been paid to informal patronage arrangement that characterize resource based economies (Richards, 1999; Bjorgo, 2009). This study will contribute to understanding how informal pacts between elites and preliterate, warlords and subjects, host communities and militants are formed and maintained overtime as well as how they react to externalities such as government intervention.

## **CONCEPTUAL REVIEW OF LITERATURE**

### **The Concept of Post Conflict Transition**

This period after the end of hostility, popularly regarded as a post-conflict transition in the literature, is a very sensitive, delicate and complex in terms of expectations and activities. It is very significant not only because of peacebuilding implications but also because it determines the extent of progress towards sustainable peace. Post-conflict situation is usually characterized by volatility, diverse power struggles, plural but conflicting interests and instability (Ikelegbe & Umukoro, 2014). It is associated with discrimination, marginality, neglect, deprivation, disintegration and disempowerment which could generate poverty, frustration, alienation, powerlessness and anger that trigger social tensions, violent conflicts and threats to sustainable peace. Restoration of positive peace after violent conflict usually involves a multi-staged transition process that ranges from political settlement, peace agreements, disarming and rehabilitating ex-combatants. It includes processes of reconstruction and economic recovery, restoration of institutions of democratic governments and justice and processes of reconciliation and peacebuilding (United Nations, 2007). The task of packaging diverse actors with often conflicting interests, some of which may have been antagonists and battle field opponents, to agree to and sustain peace agreements, requires very delicate management that could be threatened at any moment with emergent incidents, information and fears. This is perhaps why many post-conflict transition periods have short lifecycles.

Post-conflict transition programs consist of sets of activities that are undertaken during and after cessation of violent conflicts to prepare the ground for recovery and peacebuilding. It involves physical reconstruction of basic infrastructures and basic social services that were destroyed during the war or armed resistance, societal rehabilitation which includes the resettlement of displaced persons, assistance and support to victims of violence and reintegration of ex-combatants into the society. This may include political reforms and new structures for democratic governance and new development (Nillson, 2005).

In recent times, DDR programs have assumed the center stage in post-conflict transition. It has become a key component of national and international efforts in the facilitation of

transition from war to peace. DDR assists fighters, among others, to gain a foothold in civil society so as to prevent them from returning to combat and hence avoid a resumption of hostilities (Banholzer, 2014). Disarmament, Demobilization and Reintegration (DDR) are three terms which mostly stand for one joint process. DDR contributes to achieving a lasting peace process where those involved directly in the conflict can break with the past (Gamba, 2003). It creates a “transitional safety net” to ensure that combatants do not need to return to war in order to survive. DDR is usually viewed in the context of peacekeeping and peacebuilding and is often actually embedded in broader peace operations. DDR has gained prominence because it contributes to state-building, post conflict recovery and reconstruction. It leads to a shift from the formal and informal rules of militant groups to the laws defined by the state (Ikelegbe & Umukoro, 2014).

According to Macartan & Weinstein, (2007), *Disarmament*, the first phase of the DDR process, is the collection, verification of usability, documentation, control (storage) and disposal (disabling and destruction) of small arms, ammunitions, explosives, light and heavy weapons of combatants and, sometimes, of the civilian population. It entails the physical removal of instruments of combat and symbolically shows the end of hostility and transition from military to civilian life. (United Nations, 2007). It also enables a secure environment where demobilization and reintegration can take place. *Demobilization*, on the other hand, is the formal and controlled discharge of active combatants from armed forces or other armed groups and disbanding of armed groups. Demobilization involves the assembly of ex-combatants, processing of individual combatants in temporary centers, the massing of troops in camps designated for the purpose, orientation programs and transportation to the communities of destination. *Reintegration*, the last phase in the DDR program, is the process by which ex-combatants acquire full civilian status and gain sustainable employment and income (Knight & Özerdem, 2004). It is essentially a social and economic process with an open time frame that primarily takes place in communities at local level. Reintegration programs are not only geared to ex-combatants and their civilian associates but also to the development of civil communities to which combatants will return, as well as the needs of victims of war and IDPs.

### **Youth Militancy: Recruitment and Disengagement**

A number of disengagement programs from violence and radical gangs failed to achieve their target because of poor understanding of group dynamics of youth gangs (Klien, 1995). Various studies have focused on the processes of recruitment, radicalization and disengagement of youth militants (Bjorgo, 2009; Wright, 1987). There is a form of consensus that young people join militant groups for reasons such as ideology and politics, provocation and rage, protection, drifting, thrill seeking, attraction to weapon/uniform, search for a father figure, substitute community/friend, excitement, search for identity and status. The process of socialization and radicalization, although plural in approach, has been very critical to the survival of militant groups. As Bjorgo



and Horgan (2009) observed, newcomers in the groups undergo a process of socialization. They learn from others how to behave. New members are not always trusted; they are treated with distrust until they prove their trustworthiness and dedication before they could be introduced into more sensitive activities. Achieving a position of authority depends on important factors such as time, seniority and acumen. Those who show stamina and hang on after various ordeals and confrontations are respected and 'promoted'. Ordeals and confrontation can result in arrest, victory or defeat. To most militant groups, victories are sources of shared pride while defeat increases bitterness and hatred against the common enemy. Bitter defeats strengthen group cohesion and that is how they build bond and attachment to the family. As Bjorgo (2009) observed, becoming socialized into a new community and building bond of loyalty to the new community represents a fundamental process of initiation. Another form of initiation involves rituals, oath taking and series of teaching on new ideology and beliefs.

Disengagement on the other hand has been discussed extensively in literature. Horgan (2006) discussed not only what disengagement means but also why people disengage, what happens to people when they disengage and how to know if someone is truly disengaged. Disengagement, as agreed by many authors, is a cognitive and social change, in terms of leaving behind shared social norms, values, attitudes, relationships and social networks so carefully forged when the individual was still a member of a violent group. Evidence from former members of terrorist groups reveals that some members may have disengaged but not totally left the group. They left a specific role but still participate in some activities that benefit the movement. Vigil (1988) observed that the process through which militant members are recruited is not the same as the process of disengagement. Entering is a gradual step but leaving is more difficult because it seems like turning back on close family. Some literature show that militancy is a temporal experience for most youths and that the duration of time spent with the group determine how easy or hard reintegration can be. Findings from a number of researches suggest that age is the most important determinant of disengagement (Crenchaw, 2001). Militancy peaks during late teens and early twenties and then decline with age. It was argued that physical ageing and maturity that comes with parenting, employment, education and geographical mobility make people to leave militancy. Garfinkel (2007), in a study of former militant groups in Nigeria, Israel and Lebanon, argued that most transformation took place against a backdrop of vulnerability, crises and trauma. He also reaffirmed the important role of relationship, such as friend, mentor and wife, in the disengagement process. Indeed, a change in association from criminal peers to law abiding spouses and workmates contributes to disengagement. Ebaugh (1988) identified exit processes of ex-militants to include disillusion with the individual's current identity, an attempt to identify and locate a more alternative satisfactory role, the presence of a triggering factor and the creation of a new identity as an 'ex'.

Bjorgo (2009) classified reasons for disengagement into push and pull factors. Push factors include negative social sanctions, loss of faith in the ideology and politics of the group and delusions with the inner working of the group. Pull factors include longing for freedom of a normal life, age, career prospects and new responsibilities. However, some group members do not want to disengage because of the positive characteristics of the group as well as other reasons that make disengagement costly. Bjorgo discovered that positive characteristics of the group, such as security, identity, community, adventure and excitement, could inhibit disengagement. Other factors that make disengagement costly also include negative sanction from the group, impaired relationship with the community, lack of moral support, loss of protection against the enemy and negative sanction from the state justice system.

### **Ex-militants in post-conflict environment**

Demobilization of militants produces a number of unwanted situations. Firstly, ex-militants often pose a threat to post conflict communities. Secondly, the atrocities that ex-combatants may have committed can create conflict-generating rifts and thirdly, certain groups of weak and marginalized ex-militants may need special assistance and care. From the point of view of the communities, ex-militants pose security threat to social order. It is a common phenomenon for ex-militants to rearm themselves in order to further their demands (Alden, 2002; Gamba, 2003; Spear, 2002). The main reason why ex-combatants so often end up in organized crime is the ease with which clandestine military structures are transformed into self-sustaining, criminal organizations (Call & Stanley, 2003).

After demobilization, some categories of ex-militants constitute a weak and marginalized group in need of economic, psychological and social assistance in order to survive. This is especially true for child soldiers and female and disabled ex-militant. Since ex-militants foremost have been trained to fight, most ex-militants lack relevant job skills. The skills that they obtained during their stay in the armed groups are seldom in demand on the job market. Furthermore, the majority has little or no formal education. This makes it difficult for ex-militants to find employment in the short-term difficult (Kigma, 2000; Nübler, 2000). The fact that demobilized militants often acquire families and dependents during the war, adds to their strain (Collier, 1999). Wartime experiences naturally also affect the health of ex-militants. In both Uganda and Ethiopia, a large portion of the demobilised combatants were HIV/AIDS positive (Kigma, 2000). Ex-militants also commonly suffer from psychological stress due to war trauma. As militants, they may have carried out, suffered from, or witnessed terrible violence that left deep psychological scars and which must be dealt with (Preston, 1997). Because of the stress associated with participating in fighting, many militants begin using alcohol and drugs. Once peace arrives, it is estimated that as many as 25%-30% of all militants are serious drug abus-

ers (Mueller, 2003). It is the existence of these challenges that provides the rationale for giving targeted reintegration assistance to ex-militants.

In the views of Nilsson (2005), there are four main ways in which being a militant can be empowering: it enhances one's own security, it gives economic and political benefits and it gives societal prestige. However, being a militant naturally also has drawbacks, such as the social and psychological effects of participating in warfare. Just like soldiers, militants who engage in violence against the civilian population may become tainted socially once peace arrives. With demobilization, ex-militants risk losing the empowerment gained during the fighting. Because most demobilized militants lack higher education and job skills and may not be welcome in their home communities, they are easily marginalized in the society (Utas, 2003). This is especially true for former militants suffering from grave psychological distress. After demobilization, it is therefore necessary to do two things. First, it is imperative to find peaceful substitutes for their loss of economic, political and social empowerment and the possibility to fend for their own security. Second, it is essential that there is societal and individual healing (Ikelegbe & Umukoro, 2014). The failure to find peaceful substitutes and address this aspect of healing in the post-demobilization phase can give ex-militants the incentive to engage in different forms of violence. These incentives are further strengthened by the high expectations ex-militants have of the civilian life awaiting them. During the struggle, leaders often promise their subordinates access to education, work and land. When peace arrives, ex-militants expect to receive the benefits they were promised. These promises and expectations are, however, seldom met, which tends to create a sense of bitterness among ex-militants. That such grievances often result in collective action, is probably due to the strong bond of loyalty and friendship that exist between ex-militants who have served in the same military units (Preston, 1997). Such networks can easily be used to make collective demands.

Nilsson (2005) enumerated four main forms of substitutes. Firstly, when handing in their weapons, ex-militants lose the ability to fend for their own security, whereby it is imperative to find ways to ensure their physical security. Secondly, the economic survival of ex-militants and their families' must be ensured. Thirdly, there needs to be mechanisms that allow ex-militants to channel their political demands peacefully. Finally, it is important to find ways to safeguard the societal prestige of ex-militants.

Efforts to enable ex-militants and their families to support themselves can be divided into three phases. The first phase aims at securing their immediate survival until they can provide for themselves. This is followed by an intermediate period that seeks to give ex-militants the skills, knowledge and information to enable them to support themselves. The final stage is achieving economic self-sufficiency through production or gainful employment (Ikelegbe & Umukoro, 2014). Lacking income and employment, ex-combatants and their dependents are often unable to support themselves after demobilization. This

necessitates the creation of so-called reinsertion packages that can help them overcome the difficult period between demobilization and full economic assimilation into civil society. Reinsertion packages can include anything from cash payments, clothing, food, medicine, tools and cooking utensils to housing, building materials, seeds and animals. After the immediate survival of ex-combatants is ensured, it is necessary to find ways to give them the skills, knowledge and information that allows them to support themselves in a sustainable manner.

### **Peacekeeping, Peacebuilding and Security: the Nexus**

Both peacekeeping and peacebuilding are critical in maintaining security in many post conflict regions. Peacekeeping operations are aimed at creating and maintaining environment for peacebuilding while ensuring that warring parties do not continue hostilities during peacebuilding. Traditional peacekeeping focuses on providing the security umbrella under which peacekeeping actors can function. However, its current portfolio includes advancing the political objective of the peace process as well as laying the foundation for long term institution building. As Carvelho and Ettang (2011) observed, peacekeeping has changed from traditional ceasefire operations to complex scenario where wider response is required such as early peacebuilding initiatives. As a result, peacekeepers are no longer seen as troops but early peacebuilders. This realization made the United Nations to insist that all peacekeeping mandates must have elements of peacebuilding; coated in coordinated and practical approach to institution and capacity building. Peacebuilding on the other hand entail range of activities undertaking in post conflict areas aimed at making peace self-sustaining as well as reducing relapse into conflict (Hazen, 2007). The end of hostility does not signal beginning of development; this is because institutions and capacities are usually weak in post conflict areas and these conditions are conducive for crime and violence. Peacebuilding is the overall framework in which external assistance is provided to post conflict regions including reconciliation, humanitarian assistance and development. From Chad experience to Liberia and Sudan experiences, peacekeeping has become an integral part of peacebuilding focusing on institution building. As Smith (2015) observed, institution building in the areas of border control, rule of law, human right reforms, electoral reforms, resource administration and resettlements have become core mandates of most United Nations peacekeeping missions. The nexus between these three concepts is that to achieve security in post-conflict regions, strong and effective institutions should exist and it is through peacekeeping that the environment could be created for peacebuilding which in turn will usher in the needed security and development. Societies with effective, inclusive and accountable institutions are likely to withstand crises and peacefully manage disputes. Warring parties are unlikely to move into peacebuilding directly without peacekeeping initiative since it is an asset for implementing peace agreement and fostering stability. Carvelho and Ettang (2011) identified that effective

peacekeeping/peacebuilding initiative should have features of local ownership, wider engagement especially of host communities, relying on external actors to manage the process and strong element of institution building.

## **THEORETICAL FRAMEWORK**

### **Building the theory of Reintegration**

There is a consensus that DDR is a theory less field. There is no generally acceptable theory of DDR. This is because of the nature of the process and complexities it presents. However, a number of studies have revealed what makes reintegration effective or less effective. Originally, reintegration mainly referred to as programs dealing with the economic assimilation of demobilized militants through training and employment so that they will not go back to violence. Buxton (2008) defined reintegration as a multi-dimensional, complex long-term process by which ex-militants and their families are assisted to settle in a post war community (social), to be part of decision making (political) and engage in a sustainable civilian employment (economic), as well as adapt to the attitudes and expectations of their communities and dealing with their psychosocial trauma resulting from their war experience. However, over time, more emphasis has been placed on the social aspects of reintegration. Knight and Özerdem (2004) argued that societal reintegration is the most important aspect of the DDR process and that any reintegration program should be informed by the context that gave birth to the conflict. Ikelegbe and Umukoro (2014) buttressing this point observed that every activity in the DDR process shall aim at strengthening social capital, participation, inclusion, restoration of confidence, acceptance and other economic aspect to provide means to survival. Nilsson (2005) sees reintegration wholly as a societal process of economic and political assimilation of ex-combatant into civil society, involving many stakeholders and relying on the social action of the community. He argued that reintegration must take shape and reflect human and non-human components of relationships in terms of customs, social conventions, value systems and power relationships in the community. Discourses on reintegration show that lack of social interaction and community acceptance of demobilized militants have grave consequence for both the ex-militants and the community, while their presence build self-esteem and sense of commitment. Rugumire-Makuza (2013) suggests that to ensure effective reintegration, a long-term approach that takes into account the recovery and reconstruction of post conflict society, in terms of social cohesion, networks and integrated community development approach, is a necessity. From the foregoing, sustainable reintegration is more than economic reinsertion as seen previously but also on the willingness to understand community dynamics. A narrow perspective of seeing reintegration as a social contract that pays combatants to stop fighting is not sustainable. Strategy should be put in place for monitoring socio-economic risks and opportunities together with other activities that can facilitate the renewal of social fabric. Many argue that it is not enough to hin-

der ex-militants from engaging in violence. It is just as important to make them part of local civil society, which, among other things, necessitates efforts at reconciliation (Lundin, 1998). The need to facilitate the social reintegration of ex-combatants has resulted in other groups receiving reintegration assistance. The main reason has been to avoid tensions between ex-militants and other weak groups in society, who may resent ex-militants receiving special treatment. This development has resulted in a widening of the concept of reintegration, blurring the meaning of the term.

In various African societies, traditional cleansing rituals have been used to reconcile former combatants with their receptor communities, as in the case of Mozambique (Granjo, 2007; Schafer, 2001) or in Sierra Leone (Stovel, 2008; Buxton, 2008). These rituals expurgate the individual ex-combatant both from danger and from being considered dangerous to the community, freeing them from stigma. In Rwanda, more institutionalized reconciliation was instituted in the form of the community Gacaca courts after the genocide in 1994, although with mixed results (Brounéus, 2010). NATO's Joint Task Force 435 has held many reintegration *shuras*, or tribal council meetings, where community leaders and members welcome former (suspected) Taliban militants back to their communities and all sign pledges with the NATO forces vouching for these returnees and guaranteeing that they will not turn back to the conflict.

Different definitions argue that reintegration should be seen as a societal process aiming at the economic, political and social assimilation of ex-militants and their families into civil society (Torjesen, 2013; Bowd & Özerdem, 2013; Nilsson, 2005). This shows that reintegration not only has economic and social dimensions, it also has political ones. Donors should, therefore, also seek to assimilate ex-combatants politically. Reintegration should not be equated with programs planned and funded by donors. It is instead a broad societal process involving many actors, especially local ones. The ex-combatants, their families and local communities are the ones who do most of the reintegration work. If donors do not take this into account the result may be that external programs do not support local reintegration processes. The target group should exclusively be ex-combatants and their families (United Nations, 2007). Other groups, such as refugees, sex slaves or women who have been forcibly married to guerrilla fighters, have their own needs and specific reintegration package must be crafted for them. Including these other groups in the process will make reintegration more difficult. This does not preclude reintegration programs for ex-combatants from also giving assistance to receiving communities or refugees returning to the same areas in order to prevent societal tension and increase the capacity of local communities to reintegrate ex-combatants. However, in these situations, ex-combatants are still the target group since the purpose of assistance is to facilitate their assimilation (Ikelegbe & Umukoro, 2014). It is important to remember that reintegration is an integral part of DDR and cannot be planned or carried out in isolation. There must be some flexibility in the sequencing of DDR process, as a strict adherence to the tradition of disarmament followed

by demobilization and reintegration may be inappropriate. It might be necessary to launch disarmament drives after the completion of demobilization and groups that previously stood outside the peace process may need to be demobilized during the reintegration phase. Launching DDR processes without first finding a political solution to the conflict should be avoided.

The reintegration process of ex-militants is a complex program, having economic, humanitarian, political and cultural faces. According to Rhea (2014), effective reintegration should have the following elements: Firstly, it should be a part of other post conflict stabilization package and therefore linked to other reconstruction and peace building interventions in planning and in coordination. It should be a subset of broader processes of national reconstruction and development. Secondly, security reform and proper management of arms shall be put in place in order to achieve long term stability. Indeed, poor arms management will make it easy for the ex-militants to resort to violence, making the transition process cumbersome. Effective weapon control, although taken care of in the disarmament program, impact significantly on the success of the reintegration effort. Thirdly, it should support the process of turning combatants into productive citizens. This process starts in the demobilization phase during which the structures of armed forces and groups are broken down and combatants formally acquire civilian status. Fourthly, the ultimate aim of reintegration is to prevent a return to violent conflict and to make peace irreversible. To achieve this, the package should encourage trust and confidence and deal with the root causes of conflict. Finally, as Torjesen (2013) observed, reintegration is a flexible and unique process that should be adapted to the culture, needs and peculiarity of the environment where it takes place.

## **HISTORICAL FRAMEWORK**

### **The Presidential Amnesty Program for the ex-militants**

The amnesty for the militants in the Niger Delta was announced by Nigeria's former President Late Umaru Musa Yar' Adua, on June 25, 2009. The amnesty was granted in accordance with section 175 of the 1999 Constitution which provides that 'the President may grant any person concerned with or convicted of any offence created by an Act of the National Assembly a pardon, either free or subject to lawful conditions'. It was generally agreed that the failure of military solution by the government and the subsequent militant attacks on the oil infrastructure, which brought down crude oil production drastically to its lowest level of below 900,000 by mid-2009, necessitated a strategic rethink of government approach to the region's agitation and militancy. The strategic rethink following the massive threat of the activities of militant groups to the nation's economy and security, moved government to urgently differentiate between the criminal elements and those who had genuine issues in the region (Ikelegbe & Umukoro, 2014). Although militancy and armed resistance, which began between 1998 and 1999, was

ostensibly a part of the struggle for fairer distribution of thenation's oil wealth in favor of the impoverished people of the Niger Delta, the government believed that "criminals" have hijacked genuine agitations in the region and constituted themselves into very real threat to Nigeria's national security and economic survival.

The Amnesty program is based on the need to achieve sustainable development, peace, human and environmental security in the Niger Delta region. The goal of the amnesty program was to achieve peace, reconciliation, reintegration, healing and sustainable development (Ajayi, 2010). Thus, the relationship assumed by government between it and the Niger Delta militants is juridical; the militants are pardoned instead of being punished for engaging in criminal activities in order to foster peace and progress. In other words, the Amnesty is an explicit or implicit acceptance by the government that militant activities in the Niger Delta is a product of neglect and underdevelopment which can be attributed to corruption and lack of political will of governments. A Presidential Panel on Amnesty and Disarmament of Militants in the Niger Delta was set up to manage the process. Militants were expected to embrace the Amnesty within a 60 day moratorium between 6th August and 4th October 2009. The militants were expected to surrender their arms at designated centers to pave way for rehabilitation and reintegration. At the expiration of the 60-day grace period on October 4, 2009, a total of 20,192 militants surrendered their arms and ammunition to the Federal Government and accepted the offer of amnesty. Another 6,166 were demobilized and added in November 2010 to constitute a second phase of the program, while another 3,642 were added in the third phase, thus bringing the total number to 30,000.

The disarmament component of the Amnesty program was essentially a military exercise conducted by the Nigerian Armed forces. During the disarmament stage, huge caches of arms and ammunitions were submitted by the militants prior to their being enlisted into the amnesty Program. Disarmament was concluded in December 2009 while the arms and ammunitions collected were completely destroyed by the Nigerian Army in Lokpanta, under the watch of the Amnesty Office (Ikelegbe & Umukoro, 2014).

### **Demobilization and Rehabilitation**

The rehabilitation of the ex-militants began in June, 2010 at the Obubra camp in Cross River State. The program entailed biometric documentation, wellness check, nonviolence transformational training and series of counseling and career classification for the ex-militants. The transformational and reorientation activities in the Camp were tailored to extinguish the belief of the ex-militants in violence and provide them a more powerful alternative – nonviolence. The Federal Government engaged experts on non-violence from Nigeria, South Africa and the United States of America.



## **Reintegration**

The reintegration program was expected to train and build capacity in technical and vocational skills and entrepreneurial development and facilitate employment placements and identification of employment opportunities. Advisers and counselors determined individual militant's profile, skills, vocations and education and ascertained reintegration requirements in terms of further education, skills, vocational development and employment. The amnesty program has successfully placed some of the former Niger Delta militants in skills acquisition/training centers, as well as in formal education institutions within and outside the country (Akinwale, 2010). Reintegration trainings have taken place in Ghana, Russia, Ukraine, USA, South Africa, Israel, Philippines, Sri Lanka, Poland and India in vocational skills such as ICT, pipeline welding, ocean diving, air piloting, boat building and sea faring. About 834 were placed in about 100 universities at home and abroad in 2013 and 459 in private universities in Nigeria. In 2013, 2,400 were deployed to vocational training centers at home and as at September 2013, 16,683 ex-militants had been sent for training while 6,000 were trained in 2014 and another 6,000 in 2015. The rehabilitated ex-militants were paid reinsertion stipend since 2009 till date.

A considerable number of the ex-militants have already graduated from their training programs. Over 9,192 have graduated from the skills program in various fields majorly welding and fabrication. About 2,204 have graduated from entrepreneurship training, 2,798 from oil drilling and 916 from marine courses. The graduates from crane and heavy duty were 1030; boat building 299 and agriculture, 239. The Amnesty program, as at June 2014, has produced 66 airplane and helicopter pilots and 61 aviation maintenance engineers trained in United Kingdom, South Africa, UAE, Jordan and Greece. In 2014, the Amnesty office began a pilot scheme for post-training employment and start up business packs and funds in which about 300 were provided support for specialized businesses such as welding, fish farming and retail business (Scent, 2014). Employment generation has remained an issue in the program. Of the over 11,700 graduates of trainee programs, the Nigerian Custom Service is reported to have employed six, the Nigerian Army enlisted 10 out of 40 that indicated interest and applied, while in response to recruitment advertisement in the Petroleum and Energy Sector, 40 were employed by Century Energy Group and five by SAP Drilling Oil and Gas Limited. A few former trainees have been offered appointment abroad such as five (5) welders & fabricators in South Africa and 30 in United Arab Emirates. Altogether, the Amnesty office has facilitated employment of 113 former militants.

## **METHODOLOGY**

Three communities from different ethnic groups (Ijaw, Urhobo and Itshekiri) in Delta and Rivers states were selected for the study. The choice of different ethnic groups was to have a richer perspective. These communities have large number of ex-militants and

have been hot spots for militant activities. With the assistance of the Amnesty Program office, 60 ex-militants were selected and studied, including their warlords and their proxies. The warlords were selected not only for interview but also to get their permission and 'blessing' before interacting with their 'subjects'. 18 community leaders that consisted of traditional chiefs, Christian leaders, leaders of non-militant youths and other elites in the community whose words are respected and whose understanding of the community dynamics were insightful were also included in the sample.

Questionnaires were distributed to the ex-militants in order to get general information about their lives, before, during and after the amnesty program. This was followed up by interviews in order to understand the extent to which they have reintegrated economically, socially and politically, possible stigma if any they have faced in finding jobs, marriage, leadership and access to opportunities, as well as what has happened to their social, human and economic capital during and after the reintegration. Narratives and interpretation of symbols were also used to generate information on indigenous mechanism for reintegration as well as the meeting point/missing link between the amnesty version of reintegration and indigenous reintegration mechanism. Focus group discussion was conducted for community leaders, elites and youth leaders to generate data on their contextual meanings of reintegration, contextual factors hindering effective reintegration, if any, and the new elites pact between the community, the government and the ex-militant youths.

### **Characteristics of the ex-militants selected for the study**

Ninety seven percent of the sixty ex-militants included in the sample were male while three percent were female. The sixty ex-militants consist of two warlords, sixteen middle level officers and forty-two ordinary officers. Majority of them (43%) were 26-35 year old. Thirty percent of the former militants were 36-45 year old, while eighteen percent were less than 25 years. Only 5% were above 45 year old. In terms of their marital status, seventy percent were single compared to thirty percent who were married and divorced. Only twenty-five percent of the ex-militants possess post-secondary education. Twelve percent did not have any formal education while the majority (63%) attempted basic education. Descriptive statistics of the ex-militants' profile revealed that sixty-eight percent of the ex-militants were still unemployed. Thirteen percent were self-employed, while nineteen percent work in both private and public sector. Thirty-five percent live in urban area compared to sixty-five percent that live in rural areas. They were drawn from three ethnic groups: Ijaw (62%), Urhobo (22%) and Itshekiri (16%). Capacity building package enjoyed by the ex-militants were classified into academic-related (15%), vocational/craft (30%), entrepreneurship related (20%) and oil and gas/marine (35%).

## **DISCUSSION OF FINDINGS**

What does integration mean to different segments of the community and how does amnesty program fit into their description? Findings revealed that reintegration has different meaning to different people. The Nigerian government in action and attitude treated the reintegration program as a package introduced to buy peace in the region so that oil exploration and export could continue. It was a way to assuage the anger and restiveness in the region and weaken the resolve of the youth and agitators. In the way the program is initiated and executed, government sees reintegration as a means of taming the rising wave of cultism and clashes among youths in the region, a way to dilute the territorial control of waterways and oil facilities exercised by the militants. To the militants, reintegration means giving the community power over their mineral resources, job opportunities in the multinational oil firms, power to parade and act without police/military molestation, improved environmental management and freedom from community and government sanctions from evil committed. Non-militants youths who refused to pick up arms were indignant with the reintegration program. According to them, it is legalization of criminality, rewarding violence, glorifying recklessness, giving criminals power, wealth and opportunity to grow where innocent ones suffer. Reintegration ought to be a process of community empowerment, healing the wounds of war, addressing inequality created by conflict, assisting victims of conflict, reconciling aggrieved groups and ensuring effective control of arms, Tamuno, a youth leader explained, and the way government executed her reintegration plan shows that crime pays and that your voice can only be heard when you have instrument of violence.

Traditional Chiefs sees reintegration as a process involving rituals, reconciliation and healing through which a community punishes offenses, cleanses the land and welcomes the offender back into the community. It takes place according to local custom in the house of the eldest person. The offender who wishes to be reintegrated is brought to the people where he is cautioned, flogged, advised and if he shows remorse, such person is forgiven and reintegrated back into the community. The importance of cleansing the land is significant especially when murder, rape and blood oath is involved. The amnesty program of the Federal government, however, disregarded the roles of the community. No ritual or reconciliation was made. Victims of the conflict who suffered in the hands of the militants were not assisted in any way and the offenders did not show any remorse. As a result, the influence of the elders over them is broken. "they are criminals" one traditional chiefs said "and the stigma this community attached to them cannot be lifted. The gods of the land will make them restless until they ask for forgiveness". To the community elites, reintegration involves getting the ex-militants off the creeks and giving them means of livelihood. It entails addressing the root cause of the conflict, healing the wounds of war and achieving sustainable peace and development. The extent to which the realities in the amnesty program fit into people's expectation of effective reintegration is presented in Table 1.

**Table 1.** Measuring the performance of the Amnesty Program against components of effective Reintegration Package

<b>Bedrock of effective Reintegration</b>	<b>Realities in the Niger Delta</b>
Total disarmament and surrender of all arms and weaponry.	Only about 40% of weapons were surrendered. The ex-militants had even acquired some weapons after their rehabilitation.
Security reform and control of access to arms.	It was poor, there was no conscious security reform and flow of arms have not been consciously tackled as ex-militants acquire arms with ease.
Generally Acceptable standard for inclusion into the reintegration program	The number of people included in the DDR program was exaggerated, discretionary and qualification for inclusion was vague. In most cases, war lords were given quota and asked to submit names which were verified by the amnesty office. There have been agitations of exclusion by many militants especially from some ethnic groups.
Moderate Reintegration Stipend (Usually less than 12 months)	The stipend was higher than the national minimum wage and was prolonged to about six years.
Local Ownership of the reintegration process	The communities were not involved in the design and implementation of the package. There was deliberate exclusion of community reintegration rights. Healing, reconciliation and rituals.
Inclusion of healing and recovery package/assistant to the communities	There was no package for community recovery and healing apart from the creation a Federal Ministry of the Niger Delta to coordinate development efforts in the region.
Special attention to affected families and disabled militants.	Assistance of any kind was not provided for families of ex-militants, victims of the militants activities, female ex-militants, child soldiers and disabled militants.
Effective rehabilitation package for psychological and attitudinal change	The 2-week rehabilitation program was inadequate and the facilitators had little understanding on the mindset of the ex-militants. As a result there was little or no attitudinal change.
Inclusive planning, stakeholders involvement and establishment of agreement by all the parties involved	The amnesty program was anchored on the promise of the federal government to restore peace to the region and not based on any agreement. There were also cases of non-inclusion of some stakeholders such that some state governments threatened to pull away from the program.
General objective should be to end hostility, heal the wounds of conflict and achieve security, peace and development	The government key objective was to eliminate crises such that oil business will flourish while the key objective of the ex-militants is to look leeway to avoid punishment for their activities and also to secure a dependable source of livelihood.
Demobilization of the militants including their organizational hierarchy and allegiance to the war lords	The war lords have become demi-gods, the militants' hierarchy is still intact and their allegiance to the warlords remains undiluted. Even the amnesty stipend at some point was paid through the war lords.
End to jungle justice, rivalry and retaliatory attacks	There is increased rivalry among the militant groups for territory control. This has resulted in death and incessant fear among the ex-militants and host communities.
Effective monitoring of the reintegration process and timely correction of anomalies	There was poor monitoring and top down control. Bottom-up leadership was not encouraged and there were complaints that anomalies identified by people at the bottom of the pyramid were not considered.

*Source:* Field Survey, 2015

To a large extent, the amnesty program fell short of expectation of what an effective reintegration package should be. Apart from being alienated from the communities, important elements of effective reintegration were not addressed. As a result, some of the ex-militants have gone back to their illegal business. Their attachment to the warlords and their hierarchies is still strong. The root of the conflict has not been adequately addressed. There are fears that worst will happen if the government terminates the payment of stipend to the ex-militants.

**Extent of ex-militants’ reintegration**

Findings from the study revealed that the ex-militants have not been effectively reintegrated into their communities. A number of contextual factors as well as the way the amnesty program was designed and implemented inhibited the attainment of effective reintegration. The ex-militants consist of both genuine agitators for development of the region and cult groups who waded into the struggle to further their interests and ambitions. The agitators (especially in Delta State) were more refined in their approach and were able to achieve more success in their reintegration. Some of them were seen as heroes and nationalists. However, cult groups and fraternities (especially in Rivers and Bayelsa States) were more violent in their approach and found it more difficult to reintegrate into the society. Table 2 revealed the extent to which the ex-militants studied were able to reintegrate economically, socially and politically.

**Table 2**

<b>Components of Effective Reintegration</b>	<b>Realities in the Niger Delta</b>
Attitudinal change towards violence	Their attitude towards violence has not changed. They still have access to arms and majority has not shown remorse. Their attitude towards violence has not changed.
Peaceful coexistence between the communities and the ex-militants.	Pronounced fear exists in the community because the ex-militants intimidate, oppress and undermine civil rules.
Employment of the ex-militants and possession of sustainable means of livelihood.	Over 60% of them are currently unemployed. There was no job opportunity for them because of the unemployment situation in the country and also because of their poor work attitude. Many of them have sold the start-up kits provided for them. They are used to quick money and majority found it difficult to work in civil environment.
End to informal patronage	Collection of informal patronage has not ended. Some ex-militants still engage in illegal sale of crude oil and collection of informal patronage from vessel owners, multinational companies, government officials and the general population under different guise.
Community Acceptance of the ex-militants	Majority of them forced themselves on their communities and intimidated the elders and communities into marriages, civic positions and respect.
Reintegration into community politics and structure	They usurped the roles of youth bodies, serving as self-styled vigilante groups, arrogating community powers to themselves using their economic resources and arms.

<b>Components of Effective Reintegration</b>	<b>Realities in the Niger Delta</b>
Community perspective of the ex-militants after the amnesty program	The communities still see them as criminals, rapists and robbers. They are perceived as people who have no regard for rules, intimidate elders, steal from the fishermen, sabotage the good intentions of the communities and pollute the environment due to their illegal oil refining.
Ability to live civilian life and contribute to community development	Bad habits acquired during the crises have become difficult to maintain. Some have giving in to addictions and the community could not entrust them with responsibilities.
Resettlement into agriculture	Non existent
Effective political participation	The ex-militants have become politically active. However, their machinery is oftentimes employed by politicians to gain advantage over their opponents.
Freedom to participate in community activities	Majority prefer to live in cities other than their communities. Others prefer to live in the communities because of threat from rival groups and also for the fear of losing their territory.
Peacekeeping and peace building initiatives	Large number of troops encamped in the region with many records of human right violations; these troops rarely exhibit peace building mandate. Significant efforts were not made to build capacities of local institutions.

*Source:* Field survey, 2015.

### **Forms of Capital acquired by the ex-militants and their transformation**

Various forms of capital acquired by the ex-militants during and after the amnesty have undergone some transformation. Table 3 revealed the life of the ex-militants, before and after the amnesty.

Apart from few of the ex-militants who are known for genuine agitation, majority of them are currently seen as criminals, opportunists, saboteurs, a lost generation that disrespect culture, intimidate civilians and pollute the environment. Communities avoid them because of their expensive lifestyle, attitude to violence and a number of addictions that have become expensive to maintain. Their relationship with the community can be described in terms of fear, distrust, intimidation, avoidance, hate, suspicion and revenge. There is also an ongoing hostility and rivalry among different militant groups for territorial control and revenge. Most of them are spiritually fortified; guns do not penetrate them. Their warlords have accumulated much wealth and influence and use their hierarchy to achieve political and economic objectives.

### **Contextual factors that hinder effective reintegration**

Literature on DDR identified the following factors as hindrances to effective reintegration: the existence of armed groups standing outside the peace process, access to natural resources that are easily looted – so-called spoils, and the availability of arms in society. Other contextual factors observed in the Niger Delta contexts include: Firstly,

**Table 3.** Forms of capital acquired by the ex-militants before and after the Amnesty program

Items	Before the Amnesty Program	After the Amnesty Program
Education	40% could not read or write fluently	Only those with some level of education got some improvement.
Economic Skills	About 80% are deficient in valuable economic skills	About 60% now possess skills in oil and gas, entrepreneurship, sea faring, fabrication, aviation and crafts.
Allegiance to and influence of the war lords	The warlords were 100% authoritative and strong. They have the power of life and death over their members.	Influence and allegiance to the war lords have decreased to about 85%.
Network/Connection to influential people	Very strong	Very Strong
Political awareness	Fair, except that some were used as political thugs	Very strong. They participated actively in election. Some have even found their ways into public offices.
Civil Leadership Skills	Poor	Poor
Employment	None	Only few of them are gainfully employed.
Community Perception	Negatively perceived as "criminals"	Community perception has not changed. It is even worse because it seems that the amnesty program legalized their erstwhile 'criminal' activities.
Marital relationship	Only few were married. Parents were skeptical about giving their daughters hand in marriage to them.	The situation has not changed especially now that people have seen that there was no attitudinal change in most of them.
Source of livelihood	Unstable, majority depends on illegal activities such as oil bunkering and collection of informal patronage	Unstable due to inability to find employment. Majority depend on the reinsertion stipend and other casual works.
Prestige/Respect from people	None, except the one obtained by intimidation and coercion	None except some respect gained through coercion, intimidation and fear.
Possible Stigma	Yes, They lived in the creeks and wreck havoc on the civil population and multinational corporations.	The stigma still exists. Their lifestyle is different from the community. Their communities avoid them due to violent attitude and habits that are expensive to maintain such as drug and alcohol addiction.
Relationship between the community elites and the ex-militants	They lived in the creeks, alienated from the people, not willing to come in contact with community leaders	They now live with the community but the relationship is weak, rooted in fear, suspicion and intimidation.

Source: Field survey, 2015

poor understanding the causes of conflict in resource rich regions (there is high level of economic crimes in conflict regions). Conflict in many ways enriches warlords, rulers and combatants. As Mair (2003) observed, conflict in the Niger Delta, as in most African resource rich regions, is a mixture of rebellion, warlordism and organized crime. Trans-border smuggling, trafficking in exportable items, oil bunkering, piracy, arms and drug trafficking and organized crime syndicates thrive in these areas. Secondly, absence of economic substitutes for the ex-militants: Over 70% of the ex-militants do not have sustainable means of livelihood. Even those who have graduated from school could not find employment. This is due to the unemployment situation in the country, the poor work attitude of the ex-militants and fear of employing ex-militants which exist in the mind of employers of labor. Indeed, a large number of the ex-militant who were trained on vocational skills have sold their start-up kits and gone into drug peddling and other illicit businesses. Another factor is the alienation of the community in the process: the Amnesty program was not rooted in the community. It was a top-down DDR approach, planned in Abuja without community involvement. Traditional rituals, healing, reconciliation and the voices of the host communities were not considered in the design and implementation. As a result, societal reintegration was difficult. Failure to empower and reconstruct the communities who suffer greatly during the conflict was another challenge. The amnesty program exclusively targets the militant youths whereas the victims were left without any assistance. Non militant youths, rape survivors and large number of the community see the program as a slap on justice. Apart from that, the ex-militants were treated as a homogeneous group. Special needs of child militants, female ex-militants and disabled combatants were not considered. Ex militants who were minors during the conflict have become a lost generation that lack etiquette, networks, education, attitude and survival skills. Also, there was unfair determination of eligibility. There were widespread allegations that the warlords who were allocated quota included the names of their friends and cronies while true militants who were not in their good books were excluded. It was alleged also that selection of participants had ethnic bias since militants from ethnic groups that do not have strong influence in government were excluded.

## **CONCLUSION**

A number of studies that assessed reintegration exercise in many conflict regions produced mixed result. Many of them reported absolute failure while some reported part failure. This has increased the difficulty in developing acceptable theory on reintegration. Presently, there is no consensus among researchers on how to determine excellent reintegration. However, many of the studies have identified basic components of an effective reintegration package. Reintegration needs to be an inclusive exercise that is community driven and geared towards sustainable peace and development. Its goals, content, benefits, structure and breath should be such that is germane to post conflict



transformation and peacebuilding. It should be part of a wider program of economic recovery, transformation, transitional justice, reparation and resettlement and linked to a comprehensive program for addressing the grievances of the region and transforming the conflict situation. Effective reintegration package should contain a concrete program of peace-building with focus on rebuilding broken relations, social capital and mechanisms of peace and conflict prevention. The issues of exclusion should be avoided and benefits should move beyond ex-militants to youths, women, vulnerable groups, and communities affected by the conflict. Reconciling with militants, disarming and paying them to maintain peace, is not tantamount to peace building nor equivalent to conflict reconciliation and transformation which are more permanent platforms for sustainable peace and security. As noted in the study, the amnesty being rooted in a tiny minority to the exclusion of the larger population has not removed the sense of deprivation, frustration and anger that boiled over into the general restiveness and agitation. There is general uncertainty as to what will happen if the amnesty stipend is terminated.

## 79 POLICY RECOMMENDATIONS

Based on the findings made in the study, the researcher recommends that:

- **Local ownership of the process and greater role for the communities.** The sociological elements of reintegration need to be emphasized over political and economic elements. Donors should, therefore, take measures to ensure that all stakeholders are included. Local communities and the ex-combatants themselves should be given important stake in the design and implementation of the package. The program shall be community driven and means of maintain social capital and reconciliation should be incorporated. The role of government and her agencies will be more of assisting in the planning, monitoring, co-ordination, and implementation of reintegration programs.
- **Contextual factors that drive or hinder reintegration need to be considered.** Factors such as spoils that can be easily looted, availability of arms, local customs and tradition, prevailing economic climate and the nature of conflict should influence the timing, structure and methodology of reintegration package.
- **Provision of peacetime substitutes:** ex-combatants will have fewer incentives to engage in violence if they are meaningfully engaged in one employment or the other. Migration to new cities, resettlement into agriculture and engagement in construction jobs are important means of reprogramming them to settle effectively into civilian life.
- **Sincerity of stakeholders and transparency of the reintegration process:** Whenever allegation of exclusion, misappropriation, favoritism and corruption plague the reintegration process, parties involved will begin to look for personal interest. Efforts shall be made to monitor the process and entrench transparency in the process.

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# Syria: Evaluation of Russo-American Zero-Sum Game in the Protracted Fratricide

Uchenna SIMEON

**Abstract:** *This research examines the part played by the United States and Russia in the prolonged catastrophe in Syria. Syria (a strategic ally of Russia) has been enveloped by civil hostilities since 2011. Inspired by the 'Arab Spring' that swept through the region in 2011, what started as a fundamental challenge and strong opposition to Bashir al-Assad's over-lordship has exploded into a full blown internal warfare, pitting government forces and their foreign allies led by Russia against a range of anti-government rebels and their overseas sponsors spearheaded by the United States. As the war rages on, the role being played by the two key external forces (US and Russia) has come under serious scrutiny. Pulling from qualitative data collected through secondary sources, this paper argues that the supremacy struggle between US and Russia has contributed in exacerbating rather than ameliorating the situation. The study recommends that there is every and urgent need for the Syrian people themselves especially the leadership to look inwards with a view to finding a lasting solution to the unrest as continued reliance on external forces will spell doom to the prospects of peace in Syria.*

**Keywords:** *Arab Spring, civil hostilities, Russia, Syria, United States.*

Uchenna SIMEON  
Department of Political Science  
Faculty of Social Sciences  
Federal University Lafia  
Nasarawa State, Nigeria  
E-mail: uchessim@yahoo.com

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## 1. Introduction

*"Conflict ... is a theme that has occupied the thinking of man more than any other, save only God and love". (Rapoport, n.d., as cited in Simeon, 2001, p. 2).*

*"Every war has two faces. It is a conflict both between and within political systems; a conflict that is both external and internal. It is undeniable that internal wars affect the international system and that the international system affects internal wars". (Modolski, 1964 as cited in Kegley, 2007, p.428).*

Reminiscent of the 'Hobbesian Anomie' that characterized the 'State of Nature', the

Middle East, more than any other region of the world, has been the scene of ferocious strife both between and within political systems. For over half a century now, this region has remained very notorious in terms of regional cataclysms. As empirical and historical facts so obviously confirmed, the region has experienced about 40 wars since the late 19<sup>th</sup> Century. If it is not between Israel and its Arab neighbours, it is between two Arab countries like the one between Iraq and Iran that lasted for 8 years (1980-1988). In some other cases, it may arise from foreign intervention, like the United States led 'Operation Desert Storm' against Iraq following the latter's invasion of its Arab neighbour, Kuwait on August 2, 1990. The frequency at which violent transactions have gained ascendancy over the pursuit of peaceful settlement of disputes in the Middle East is alarming. 'Torn by Strife', 'Volatile Middle East' and 'the Middle East Zone of Turmoil', to mention just a few, are some of the phrases analysts have employed to express the rage in this part of the globe.

As if not yet satisfied with the rate of recurrence of wanton destruction of lives and properties, in recent times, Syria, one of the Middle East States (a strategic ally of former USSR, now Russia) and an arc adversary to Israel (US key partner in the Middle East), has been engulfed in a civil war that has lasted for about six (6) years now. What started as a deep-seated challenge and sturdy resistance to Bashar al-Assad's autocratic rule has metamorphosed into a full blown civil hostilities following bloody crackdown on protesters with the government troops on one side and an array of rebels represented by Syrian National Coalition on the other side engaged in fierce battle over the control of the territory and government of the Syrian state.

Syrian crisis has caused what is today regarded as the world's largest humanitarian and security disaster, with estimated 13.5 million people in need of humanitarian assistance, 6.3 million are internally displaced, about 11 million are on the run, 5.5 million children affected by the crisis, 7.6 million Internally Displaced Persons (IDPs), 4.8 million have become refugees in the following countries: Turkey - 2,764,500, Iraq, 228,894, Lebanon, about 1,017,433 with one in every four person coming from Syria while in Jordan with a total of about 655,404, one in every 10 people comes from Syria (Unocha, 2016 as cited in Mercy Corps, 2017) while in Egypt and North Africa, they are about 150,258 (European Commission, 2017b).

According to Stephen O'Brien, the UN Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, in Syria, close to 7 million children live in poverty, about 1.75 million are out of school children, 1.35 million are at the risk of dropping out while 7,400 schools have either been destroyed or made inaccessible (O'Brien, 2017). The foregoing situation has created an urgent need for humanitarian assistance as according to UN report, while \$4.5 billion is required to cater for the needs of the displaced and vulnerable persons in Syria in 2016, however, only \$2.9 billion was realized (UN as cited in Mercy Corps, 2017). The economy is not left out too. Based on

World Bank Report, within the first four years of the conflict, 538,000 jobs were lost as the unemployment rate among the youths stood at 78 percent in addition to loss in the Gross Domestic Product (GDP) to the tune of US\$226 billion or four times the year 2010 figure (World Bank, 2017). As reported by Euro News (2017), the extent of the damage done to the economy is such that even if Syrian crisis ends today, it will take between 10 to 15 years for the country's per capita GDP to return to pre-conflict levels as the total economic losses so far are estimated at around 255 billion Euros.

Suffice it to state that throughout history, individuals and groups have in one form or another resorted to violence or its potential use as a tactic of political action as when violence is deployed by groups in search of power, by groups holding power and by groups in the process of losing the same power; in the defence of order by the privileged, the name of justice by the subjugated and in fear of dislocation by the threatened (Agi, 1998); nevertheless, its prevalence in the political life of Syrians has necessitated a critical examination if we must overcome the temptation of locating the Syrian debacle exclusively on domestic conditions.

It is in the light of this that this study sets out to assess the role of the United States and Russia in the persistent Syrian stalemate.

## **2. Background to the Syrian Catastrophe**

The Syrian Arab Republic, one of the Middle East countries, is located along the eastern shore of the Mediterranean sea covering a land area of 183,630 square kilometres (sq km) and 1,550 sq km of water, giving a total area of 185,180 sq km, including the Golan heights region of 1,176 sq km which was captured and annexed by Israel in 1967 and December 14, 1981, respectively, making it the 89<sup>th</sup> largest country in the world (Worldmark Encyclopedia of Nations, 2007; Worldatlas, 2015). Syria gain its independence from Turkey in 1946 and with a land boundary length of 2,253 km and a coastline of 193 km, it shares boundaries with Turkey to the North, Iraq to the East and Southeast, Jordan to the South, Israel to the Southwest and Lebanon as well as Mediterranean sea to the West (Worldmark Encyclopedia of Nations, 2007). Approximating several other countries in the Middle East, the Syrian population comprises diverse ethnic and religious groups. Roughly 90 per cent of the entire population are ethnic Arabs; however, there are small ethnic minorities, remarkably Kurds, which happens to the country's leading distinct ethnic/linguistic minority constituting between 7-10 per cent of the total population (Sharp & Blanchard, 2013).

Of more importance in Syria are religious sectarian diversities because, besides the majority Sunni Muslims that represent over 70 per cent of Syrian population, there exist numerous religious sectarian minorities, including three smaller Muslim sects of Alawite (12 per cent), Druze (3 per cent) and Ismailis (2%) and a number of Christian denominations, such as Greek Orthodox Christian (9%), American-Christian, Assyrian

Christian which alongside minority groups like Turkmen-Sunni, Circassian-Sunni and others constitute 1% of the population (Sharp & Blanchard, 2013; Holliday, 2011). Despite the secular nature of the ruling Baath party, religious sects have, however, been important to some Syrians as symbols of group identity and determination of political action as can be attested to by the Assad led Baath party's cultivation of Alawites as not only the key base of support but also the dominant group in the composition of the elite security forces (Sharp & Blanchard, 2013).

In 2011, as a follow up to the Arab Spring that started in Tunisia and swept through Egypt and Libya, anti-government protesters gathered at the Southern city of Deraa in March 2011 to demand the release of 14 School children who were arrested and reportedly tortured after writing on a wall the popular slogan of uprisings in Tunisia and Egypt: "The people want the downfall of the regime" (BBC News, 2012). Before the present uprising, Syrians struggled with many of the challenges that have bred unfathomable frustration in other Arab autocracies, including high unemployment, high inflation, limited upward mobility, rampant corruption, lack of political freedoms and repressive security forces (Sharp & Blanchard, 2013). These factors have fuelled opposition to Syria's authoritarian government, which has been dominated by the Baath (Renaissance) Party since 1963 and the al-Assad family since 1970 (Sharp & Blanchard, 2013).

In mid-March 2011, amid protests calling for the release of political prisoners, the Syrian national security forces responded to the pervasive initially peaceful demonstrations with brute force and from summer 2011 onwards, the Syrian President Bashar al-Assad refused to halt attacks and put into action the significant reforms demanded by protesters thereby prompting the crisis (International Coalition for the Responsibility to Protect, n.d). Reports from victims, eye witnesses, the media and civil society organizations indicate that government forces had subjected civilians to arbitrary detention, torture and the deployment and use of heavy artillery as well as subjecting the Syrian people to the Shabiha (a heavily armed state-sponsored militia fighting alongside security forces) (International Coalition for the Responsibility to Protect, n.d).

Sequel to the escalation of the conflict, the anti-government forces began to limply organize, creating several opposition organization such as the Syrian National Council (SNC), an umbrella club of exiled Syrians and the Free Syrian Army (FSA), a militarized element composed mainly of Syrian military defectors and armed rebels, calling for Assad's resignation having lost patience with the lack of progress on the proposed reforms (International Coalition for the Responsibility to Protect, n.d).

Below is a tabular representation of what the protesters demand and what the Assad regime has offered.

From the above table 1, its glaring that the Assad regime never indicated interested in introducing comprehensive reforms as canvassed by the protesters as that would



**Table 1.** Syrian crisis: Protesters’ demand alongside government’s offer

What protesters want	What Assad has offered
Fall of the regime	Mr. Assad has made clear that he has no intention to step down.
End to the 48-year-old emergency law	He revoked the emergency law on 21 April 2011, but Syrian forces continued to open fire on demonstrations and detain people without arrest warrants.
Immediate end to extrajudicial killings and torture	The president has rejected as “false” allegations made by the UN that Syrian security forces have committed crimes against humanity, including killings, torture, rape, imprisonment, and other forms of severe deprivation of liberty and disappearances.
Release of political prisoners and detained protesters	Amnesties were offered to political prisoners in May 2011, June 2011 and January 2012. Officials say thousands were released, but as many as 37,000 are still in prison, according to human rights activists.
Transition to a democratic, free and pluralistic society	On 26 February 2012, voters approved in a referendum a new constitution, which sees the inclusion of political parties beyond the ruling Baath Party and drops an article making the party the “leader of state and society”. It also limits the president to two seven-year terms. Mr Assad has also decreed on 14 March that parliamentary elections will be held on 7 May. The opposition has dismissed both the constitution and the elections.

Source: BBC News (2012, April 9).

not only lead to the down fall of the regime as the Baath ruling party only represents a narrow faction of Syrians but also probably lead to the prosecution of the former elites and the persecution of its allies as the Dutch Diplomat and Syrian scholar Nikolaos Van Dam put it: Bashar al-Assad was never going to sign his own death warrant (Holliday, 2011, n.p.).

### 3. Regional and global responses to the Syrian debacle

Since the instigation of the Syrian crisis in 2011, there has been a sharp dissection between states that resist the imposition of UN sanctions on Syria and persist in supplying arms to the Assad government and states that have imposed arms embargoes on Syria and called for a UN embargo (Wezeman, 2013). Even as the conflict intensified in 2012, the international community still remained divided as it could not forge a consensus on how to tackle the debacle in general or with supplying arms to the parties in the conflict in particular as while the European Union, the League of Arab States, Turkey and the US maintained arm embargoes against the Syrian government, Iran and Russia continued to supply the Assad government with arms (Wezeman, 2013).

In a series of public proclamations, the Special Advisers to the Secretary General on the Prevention of Genocide and on the Responsibility to Protect expressed disquiet over the Syrian government’s organized extensive onslaughts targeting civilians and reminded the government of its responsibility to protect its population. In their fifth statement released on June 14, 2012, they called on the international community to take urgent decisive action to meet its responsibility to protect populations at risk of further awful crimes in Syria, taking into account the full range of instruments available under the UN

Charter, including a referral of the situation by the Security Council to the International Criminal Court (ICC) (International Coalition for the Responsibility to Protect, n.d).

In its reaction to the Syrian cataclysm, The Human Rights Council and Office of the High Commissioner for Human Rights mandated an Independent Commission of Inquiry to probe human rights breaches in Syria and, simultaneously, restated the call for the Syrian government to assume its responsibility to protect, prevent and prosecute perpetrators of international crimes while continually urging the UN Security Council to refer the case to ICC starting from December 2011 (International Coalition for the Responsibility to Protect, n.d).

For the UN Security Council, in order not to violate the UN Charter, it appointed a special envoy and established the United Nations Supervision Mission in Syria (UNSMIS) with a view to taking preventive action. Nonetheless, with the escalation of the crisis and little room for political negotiations between the disputing parties, the UNSMIS faced many technical difficulties on and off the ground, including limited freedom of movement by the government, blocked access to sites of mass violence and the rejection of observers' visas which alongside the ongoing violence led to the mission's suspension on June 15, 2012. In October 2012, the SC issued press statements disapproving the terrorist attacks in Aleppo and later calling on all important parties to execute a ceasefire in honour of Eid al-Adha. Meanwhile, numerous efforts made by the Council to resolve the conflict were vetoed by both Russia and China including the resolution to refer the perpetrators of crimes against humanity to the ICC (International Coalition for the Responsibility to Protect, n.d).

On its part, the General Assembly adopted several resolutions calling for all parties to support efforts to peacefully resolve the crisis. On May 15, 2013, the General Assembly adopted a resolution condemning the conflict's escalation, violations of humanitarian laws and violence, demanding the government meet their responsibility to protect their population, comply with international law and cooperate with the Commission of Inquiry to investigate claims of chemical weapons use (International Coalition for the Responsibility to Protect, n.d).

In an effort to forestall further bloodletting and return the country to the path of peace, UN in 2012 convened a Peace Conference in Geneva. Describing the Geneva 11 Peace Conference on Syria as a game of insults between the Syrian government and the rebels, with the Syrian Foreign Minister, Walid Muallem, accusing the opposition of immaturity while the opposition representative, Louay Safi, alleged that the Assad regime had no desire to stop the bloodshed, prompting Ahmed Jarba to liken the Geneva talks to drinking from a poisoned chalice (BBC News, 2014; Black, 2013). However, the UN-backed meeting in 2012 issued a Communiqué urging Syria to form transitional governing body, start national dialogue, review constitutional and legal system; hold free and fair elections (BBC News, 2014).

While both sides agreed to use the 2012 Geneva Communiqué as a basis for discussions and agreed to meet in the same room but neither side could agree on the focus, with the opposition insisting that political transition were the focus and the government wanting to talk about terrorism compelling diplomats to describe the atmosphere between the two sides as extremely tense all the way through the conference (BBC News, 2014).

While the Russian Foreign Minister Sergey Lavrov and his US counterpart, Secretary of State John Kerry, affirmed their support for another Geneva Peace Conference in August 2013, however, both offered little in the way of a strategy to bring the warring sides to the table. Rebels appeared unwilling to consider a plan that does not include Assad's ouster, while Assad is unwilling to quit voluntarily as neither side seems to be willing to negotiate from a perceived position of weakness (Laub & Masters, 2013). In addition, there was also disagreement between US and Russia over who should attend, Iran being a point of contention while the former UN-Arab League special envoy to Syria, Lakhdar Brahimi, argued that divisions within the opposition constitute further hindrance while, the alleged use of chemical weapons in August 2012 and the US plan to launch punitive military action against Syria ended up complicating international discussions of a peace process (Laub & Masters, 2013).

Since May 2011, following Assad regime's violent response to protest, the EU has imposed and heightened comprehensive sanctions, including an arms embargo, visa ban and asset freeze against individuals, organizations and the Syrian regime as a whole, while in November 2012, the EU extended recognition to the National Coalition of the Syrian Opposition as the legitimate representative of the Syrian people and subsequently, released a statement urging Assad to step down to allow for political transition in January 2013 (Holliday, 2011; International Coalition for the Responsibility to Protect, n.d). Nonetheless, sequel to the recognition of the National Coalition of the Syrian Opposition, the EU Foreign Ministers, in March 2013, modified the sanctions already in place, making it possible for European governments to bypass the ban on providing non-lethal supplies to the opposition while on May 28, 2013, the member states of the EU effectively terminated the arms embargo on the opposition in Syria, opening up the prospect of arming anti-government rebels while upholding arms embargo against the Assad regime (International Coalition for the Responsibility to Protect, n.d).

While the majority of the remaining EU member states are concerned that further militarization will only stimulate more violence, nevertheless, only France and the United Kingdom have expressed readiness to supply arms to the rebels (International Coalition for the Responsibility to Protect, n.d). Beyond the country specific aspect of the EU regional strategy for Syria, Iraq and Da'esh threat which was adopted in March 2015 and reviewed in May 2016, the EU strategy for Syria which comprises the Foreign Affairs Council Conclusions of April 3, 2017 alongside the Joint Communication by the High Representative and the Commission of March 14, 2017, places emphasis on six areas:

in accordance with United Nations Security Council Resolution (UNSCR) 2254, pursue an end to the Syrian war via negotiated political transition with the support of regional and international actors under the umbrella of UN Special Envoy for Syria; in line with UNSCR 2254 and the Geneva Communiqué, foster meaningful and all inclusive transition in Syria by supporting political opposition, provide humanitarian assistance to vulnerable Syrians, promote democracy, human rights and freedom of speech by strengthening Syria's civil society organizations, ensure accountability for war crimes with a view to facilitating a national reconciliation process and transitional justice and support the resilience of the Syrian population and society (European Commission, 2017a). In the area of aid, as a leading international donor, the EU, alongside its member states, has collectively donated 9.4 billion Euro for humanitarian and development assistance in addition to 3.7 billion Euro pledged in April 2017 at the Brussels Conference (European Commission, 2017b)

At the instance of the Turkish government, the North Atlantic Treaty Organization (NATO), despite its stance not to interfere in the Syrian conflict, in January 2013, placed patriot missiles on Turkey's border with Syria to guard against external attack after five Turkish civilians were murdered by Syrian mortar fire in October 2012 and another 13 people were killed in an explosion on Turkish-Syrian border in February 2013 (International Coalition for the Responsibility to Protect, n.d). In addition, the main opposition, The Republican People's Party (CHP), accused the ruling Justice and Development Party (AKP) led-government of providing logistical, military and medical support to ISIS militants fighting the Syrian regime; the CHP Deputy Chairman Muharrem Ince revealed that ISIS commander, Abu Mohammad, had received medical treatment at the Hatay State Hospital in Turkey on April 16, 2014 (Paul, 2014). Furthermore, another top-ranking opposition party official, Ihsan Ozkes who is CHP Istanbul deputy charged that al-Qaeda affiliated al-Nusra Front militants have received medical treatment at the guest houses run by Turkey's Religious Affairs Directorate (DIB) under the supervision of the National Intelligence Organization (MIT) (Paul, 2014).

For Lebanon, the incursion of refugees and increased cross-border fire from Syria has threatened to enmesh it in its neighbour's catastrophe notwithstanding its long policy of disassociation in the Syrian cataclysm. Moreover, a signal surfaced recently that the Syrian crisis is gradually degenerating into a full-blown regional emergency subsequent upon the entry of the Lebanese Hezbollah and its role in aiding the Syrian government re-take the city of Qusayr in June, 2013 ((International Coalition for the Responsibility to Protect, n.d).

Iran, Syria's long-time ally, has been unrelenting in maintaining vital contacts with the Assad regime in Damascus, having supplied it with both military and much needed economic assistance, including helping the regime to evade western sanctions on oil

export in addition to the Iranian Basij militia that is suspected to have aided in training the Syrian Shabiha, the militia incriminated in the brutal Houla massacre (Laub & Masters, 2013).

On its part, China has sustained economic, political and military ties with Syria notwithstanding disparagement from Arab and western leaders. China and Russia have vetoed three western-backed UN Security Council resolutions that incorporated language alluding to the responsibility of the Assad government to protect the civilian population as well as the fourth one seeking to refer all those involved in crimes against humanity to the International Criminal Court (ICC) (International Coalition for the Responsibility to Protect, n.d.)

On its part, the Arab League led by the Sunni Arab Gulf States, while disapproving any unilateral action in response to the Syrian conflict, introduced a peace plan after about nine months of violence against civilians, called on the Assad regime to halt violence, release prisoners, allow for media access and remove military presence from civilian areas (International Coalition for the Responsibility to Protect, n.d.). However, following the failure of the Assad regime to abide by the peace plan after initial agreement to act accordingly, the 22-member regional body approved far-reaching package of measures censuring Syria, clearing the way for a considerable intensification of international pressure against President Bashair al-Assad and deepening the isolation of his increasingly embattled government. The adoption of a resolution suspending Syria's membership on November 12, 2011, imposing economic sanctions against it on November 27, 2011 and seeking UN help unless the Syrian government stops using violence to suppress the country's uprising at an emergency meeting in Cairo, signified an extraordinary show of Arab solidarity against a fellow regional power, being the third time a nation has been suspended (Sly, 2011; International Coalition for the Responsibility to Protect, n.d.).

Besides, on January 29, 2012, on account of critical conditions in the country even after Syria signed a peace deal on December 19, 2011, the Arab League suspended an Arab observer mission mandated by Syria to observe and report on the crisis, encouraged the UN Security Council to take further action and appointed a Joint Special Envoy with the UN to facilitate a political solution to the crisis; while in November 2012, in a bid to have a more inclusive and representative model, the League alongside the Gulf Cooperation Council recognized the National Coalition of the Syrian Opposition (an opposition organization formed that same month from various opposition groups) as the legitimate representative and main interlocutor with the Arab League and Gulf Cooperation Council and in March 2013, the Coalition official took Syria's seat at the summit of the Arab League (International Coalition for the Responsibility to Protect, n.d.).

#### **4. US role in the lingering fratricide in Syria**

To properly conjecture and appreciate US stand on the persistent conflict in Syria, it is imperative we start with brief background information on American perception of Syria. According to the US State Department, Syria is on the list of 'State Sponsors of Terrorism' for providing financial aid, political support, weaponry and military training to terrorists organizations such as the Iran-backed Hezbollah and Hamas as well as Palestinian Islamic Jihad, the Al-Aqsa Martyrs Brigades and other extremist groups (United States Department of State, n.d.)

In February 2010, for instance, it was reported that former Iranian President Mahmoud Ahmadinejad, Hezbollah leader, Hassan Nasrallah and leaders from several Palestinian terrorist groups were hosted to a dinner at Damascus during which the Syrian leader Bashar Assad and his Iranian counterpart Mahmoud Ahmadinejad reiterated their two countries string ties with disdain for Israel, US foremost ally (Nahmias, 2010).

At the beginning of the Syrian crisis, for fear of the weapons so transferred entering the wrong hands as well as forestall a situation where the US would be dragged to a proxy war on another side, the Obama administration was foot dragging on the propriety of providing anti-government forces with training and lethal aid. As argued by Miller and Warrick (2012), the lack of intelligence has complicated the Obama administration's capacity to navigate a crisis that presents an opportunity to do away with a long time US adversary but carries the danger of strengthening insurgents sympathetic to al-Qaeda or militant Islam.

However, in February 2013, Obama approved an order known as 'intelligence finding' that largely authorized the CIA and other US agencies to provide aid that could help the rebels dislodge Assad from power. According to the State Department, under the President's Secret Order, the US government had set aside a total of \$25million for non lethal assistance –food and medical kits to the rebels including CIA supplied encryption-enabled communications gear that would allow the US monitor the conversations of the opposition groups (Al Jazeera, 2013; Miller & Warrick 2012; Laub & Masters, 2013).

In June 2013, sequel to reports that the Assad regime used chemical weapons against rebel fighters in 2012, US hid the call by the rebel forces for governments supporting their cause to supply them with weapons and other military equipment by authorizing the Central Intelligence Agency (CIA) to provided small arms and ammunition to vetted rebel groups (Laub & Masters, 2013; Wezeman, 2013). Following this directive, the US, alongside its Middle East allies of Saudi Arabia and Qatar, decided to arm the Syrian rebels under the umbrella of 'Free Syrian Army' (Boyd, 2014). As reported in *The Telegraph* UK, former Yugoslavian Army weapons held by the Croats together with newly manufactured Croatian armaments were flown out of Croatia on chartered flights to Jordan and then smuggled into Syria while M79 rockets were transferred by

Saudi from Croatia according to AFP report (Boyd, 2014). Also, an independent news website, WND, reported that in 2012, CIA trained ISIS members at a secret base in Jordan to fight the Syrian government (Paul, 2014).

In a related development, the US Republican Senator Rand Paul stated that the US government has been arming ISIS militants in Syria and funding its allies. According to him: “They are emboldened because we have been supporting them ... It could be Assad (could have) wiped these people out months ago” (Paul, 2014, para.3). He adds thus: “I personally believe that this group would not be in Iraq and would not be as powerful had we not been supplying their allies in the war” (para.4).

Admitting that contrary to allusions that the US was unwillingly drawn into the dreadful conflict caused by others, Davies (2013) has identified nine (9) ways in which the US has been sabotaging the peace efforts, thereby fuelling the crisis as shown in the table below:

**Table 2. 9 Ways America Has Fuelled the Bloody Civil War in Syria**

Instance	Comments
Formation of Syrian National Council (SNC) outside the National Coordinating Body for Democratic Change (NCB)	Following the outbreak of the Arab Spring in 2011, the left wing protesters in Syria formed the National Coordinating Body for Democratic Change (NCB) to coordinate peaceful protests and resistance to government repression based on three fundamental principles of non-violence, non-sectarianism and no foreign intervention. The US and its allies however, sidelined the NCB and formed an unrepresentative government-in-exile in Turkey known as the Syrian National Council, recruited, armed and trained violent groups to pursue regime change.
Replication of Libyan strategy on Syria by US and its allies	Sequel to regime dethronement in Libya, the US, the United Kingdom, France, Turkey, Saudi Arabia and Qatar adapted the same strategy to Syria which saw them fly in fighters, weapons and equipment to turn the Syrian uprising into a bloody civil war.
Arming, training and financing of rebels by US-led NATO forces	Despite the outcome of a Qatari-funded YouGov poll in December 2011 which indicates that 55% of Syrians still supported their government, unmarked NATO planes were flying fighters and weapons from Libya to the Free Syrian Army base at Iskanderum, Turkey. In addition, special forces from Britain and France provided communications equipment and intelligence as it happened in Libya.
Recruitment of foreign fighters	In June 2013, anti-government sources acknowledged that 2,100 of the 16,700 rebel fighters killed so far in Syria were foreigners, while only 145 of 41,600 loyalists killed in action were foreign Hezbollah members.
Commercialization of the war in Syria	Balkans Journalists reported that wealthy Gulf Arab paymasters fund hundreds of hardened mercenaries from Croatia and elsewhere, who earn up to \$2,000 per day as rebel snipers and special forces in Syria. Saudi Arabia for instance sent convicts to fight in Syria and funded shipments of weapons from Croatia to Jordan while Qatar spent \$3billion to pay rebel fighters and shipped at least 70 plane loads of weapons via Turkey.

Instance	Comments
Double standard on the part of US and its Western and Arab allies	At the Orwellian Friends of Syria meetings to launch what French officials referred to as a Plan B, the US joined France and its other allies to undermine the Annan peace plan thereby escalating the war. Nine days before Annan's ceasefire was due to take effect at the second Friends of Syria meeting, the US and its allies agreed to provide funds for the Free Syrian Army to pay its fighters, while Qatar and Saudi Arabia pledged to increase their weapons delivery.
Inconsistent stance over the fate of Assad in the political transition process	When Kofi Annan assembled all the permanent members of the UN Security Council and other governments involved in the Syrian debacle at the end of June 2012 in Geneva, the Western powers briefly dropped their previously non-negotiable demand to oust Assad as the first towards political transition to enable all sides finally sign on to the Annan peace plan. However, when it came to the codification of the Agreement, the US and its allies rejected a UN Security Council Resolution in that regard and revived their previous demands calling for Assad to quit.
Reneging on the Geneva Agreement via direct weapons shipments and missile strikes to support Syrian proxies	After tens of thousands of Syrians were massacred in May 2013, US Secretary of State, John Kerry went to Moscow and agreed to renew the peace process started in June 2012 in Geneva. Nevertheless, since May, the US has once again reneged on the Geneva Agreement and decided to escalate the war even further, by providing direct weapons shipments and now missile strikes to support its proxies in Syria.

*Source:* Author's original adaptation from Davies N.J.S (2013, September 4).

9 Ways America has fuelled the Bloody Civil War in Syria.

The foregoing notwithstanding, in its pledge to helping the innocent children, women and men affected by the ongoing conflict in Syria, the US remains the single largest donor of humanitarian aid for those affected by the crisis described as biggest humanitarian emergency of our era . Syria fact sheet released as at December 11, 2015, shows that total US Government Assistance to the Syrian Humanitarian Response FY2012-2015 is \$4,529,063,219 comprising the following: USAID/OFDA \$866,283,413, USAID/FFP \$1,550,694,720 and State/PRM \$2,112,085,086 (USAID, 2015).

### **5. Russia's position on the Syrian Crisis**

Sequel to Russia's rejection of what it perceives as a world order dominated by the US and the need to balance it by boosting its (Russia's) position in the Middle East dominated by Israel's principal ally, the US, Moscow has moved to cement relationship with its age-long ally in the Middle East, Syria. On Wednesday, May 11, 2010, prior to the commencement of the Syrian conflict, former Russian President and current Prime Minister, Dmitry Medvedev, visited Damascus to hold talks with his Syrian counterpart, Bashar al-Assad on nuclear energy cooperation between the two countries. The visit, the first of its kind in the history of the relationship between Russia and Syria for a Russian or Soviet President to visit Syria, came amid tension over Israel's accusations that Syria has been transferring long-range scud missiles to the Lebanese militia – Hezbollah (Black,



2010). Declaring that all nations have the right to peaceful nuclear power programmes, during the visit, Dmitry Medvedev voiced his country's preparedness to build a nuclear power station in Syria as it had long been doing in Iran (Syria's main regional ally) despite the apprehension expressed by the US through State Department spokesman Philip Crowley that countries looking at energy cooperation with Syria should be aware of Syria's shortcomings on nuclear matters (Libnan, 2010).

As Syria gets overwhelmed in over six-year old uprising, Russia continues to maintain economic and military relations, including arms sales to the Assad regime despite mounting international condemnation over the Syrian regime's bloody crackdown in which about 465,000 people have so far been killed and missing (McDowall & Glover, 2017). According to a report by The Syrian Observatory for Human Rights (a monitoring group based in Britain), over 321,000 people have been killed while more than 145,000 are declared missing (McDowall & Glover, 2017). Continuing, the report documented over 96,000 civilian deaths; out of which government forces and their allies are responsible for more than 83,500 deaths including 27,500 that died as a result of air strikes and 14,600 through prison torture; shelling from anti-government forces claimed more than 7,000 lives; Islamic State Jihadists have killed more than 3,700 while air strikes by the US-led coalition and Turkey (which is supporting the rebels) have killed 920 and more than 500 civilians respectively (McDowall & Glover, 2017).

Amid escalating economic downturn occasioned by low oil prices, as well as Western sanctions imposed on Russia over its actions in Ukraine, the Syrian fractricide has enabled Moscow enhance its status as major arms producer and exporter, making it the second largest after the United States (Mirovalev, 2016). As Moscow expects to wreck in \$7bn in arms sales due to the crisis in Syria as reported by Kommersant daily, the country's foreign minister, Sergei Lavrov, has affirmed that Russia will continue with military supplies to Syria accompanied by the dispatch of Russian experts that will assist in adjusting the equipment and training the Syrian personnel on how to handle the weapons (Golubkova, 2015). Beyond arms sales, Russia has been directly involved in the ongoing war in Syria. For instance, four Russian warships launched long range cruise missiles that hit eleven targets on October 7, 2015 (marking Russian President's 63<sup>rd</sup> birthday) while in December that same year, a Russian submarine submerged in the Mediterranean sea launched similar cruise missiles against targets at Raqqa province of Syria (Mirovalev, 2016).

Also, Russia has vetoed, on eight different occasions, Western-backed UN Security Council Draft Resolutions aimed at isolating Assad regime since the war started in 2011 while China (Russia's key supporter) has vetoed same six times and abstained on two occasions (Mckirdy, 2017). Though several reasons have been adduced for Russia's support for the Syrian regime ranging from Middle East geopolitics, Cold War-era Alliances, arms sales and even special interests such as the under-renovation Tartus naval resupply

facility that enables Moscow operate on the Mediterranean, however, the key motivation is the world order (Trenin, 2012). Drawing from Libyan experience where UN humanitarian operation to save lives in Benghazi was abused by North Atlantic Treaty Organization, Russia considers it an error of strategic judgement to create room for unrestricted US forceful intervention in Syria as that might trigger foreign interventions either close to Russian borders or even within the borders such as the North Caucasus (Trenin, 2012). Moreover, Moscow's support is predicated upon the fear that an Islamist Spring will enable radical groups and al-Qaeda allies to gain ground close to Russia's troubled North Caucasus (Trenin, 2012).

In September 2013, amid likelihood of US airstrikes against the Assad regime due to the latter's alleged use of chemical weapons in contravention of its obligations under the Chemical Weapons Convention (CWC) which forbids State Parties to develop, produce, otherwise acquire, stockpile or retain chemical weapons or transfer, directly or indirectly, chemical weapons to anyone, not use chemical weapons, not to engage in military preparations for use of chemical weapon, not to assist, encourage or induce anyone to engage in any activity prohibited to a State Party under the Convention, Russia provided reprieve to the Assad regime by suggesting that rather than launch an airstrike, the Syrian regime should be made to surrender its chemical weapons to international monitors from the Organization for the Prohibition of Chemical Weapons (OPCW) for destruction (Nuclear Threat Initiative, 2017; Laub & Masters, 2013).

Consistent with its protection of President Bashar al-Assad and his administration from severe pressure or censure, for the fourth time, Russia, supported by China, blocked a Security Council Resolution (that was supported by 13 out of 15 members) seeking to refer all those responsible for war crimes and crimes against humanity to the International Criminal Court (ICC) (Black, 2014). Summarizing Russia's stand on the Syrian conflict, Holliday (2011) has, however, opined that commercial and military interests in Syria have solidified Russian support for Assad.

Four reasons have been identified as accounting for Russia's persistence support for the al-Assad's regime in Syria:

1. Russia has a naval installation (Tartus naval base) in Syria, which is strategically important as well as considered as Russia's last foreign military base outside former Soviet Union. There is the belief among the Russian public that the fall of Assad would be equivalent to the defeat of Russia's last client and ally in the Middle East and the ultimate abolition of traces of former Soviet powers there.
2. Russia still harbours a bit of Cold War mentality, as well as a touch of national insecurity, which makes it bother so much about maintaining one of its last military alliances. Russia conceives of Arab Revolutions as having entirely undermined the region, paving the way for the ascendancy to power by Islamists. Having suffered from terrorism and extremism at the hands of Islamists in the Northern Caucasus,

Moscow perceives secular authoritarian governments as the lone pragmatic substitute to Islamic domination.

3. Russia abhors the notion of international intervention against countries like Syria because it sees this as a Cold War style Western imperialism and, ultimately, a threat to Russia. The recent Russian policy on Syria essentially dwells on supporting Assad government and averting external intervention directed at deposing it as occurred in Libya, where the west blatantly interpreted the resolutions adopted by the UN Security council, directly violated those resolutions and unilaterally intervened in the country's affairs. It is believed that western intervention in Syria which Moscow cannot counteract militarily would be a premeditated sacrilege on one of the few enduring symbols of Russia's status as a great world power.
4. Syria imports a lot of Russian military equipment as the later needs the financial gains. The implication of this that Russia having concluded a number of arms sales and energy contracts with the regime, appears worried about not getting paid if Assad is overthrown (Fisher, 2013; Pukhov, 2012).

To corroborate the claim that Russian policy fuels the crisis in Syria, it has been argued that Russia's support for Syria via sending lots of weapons has made it easier for Assad to keep maiming civilians as well as made it much difficult in case the outside world wants to intervene. Moreover, whether or not one thinks military action is a welcome development, the undisputable fact remains that Russia's support for Assad makes him less likely to negotiate or accept a peace deal if he (Assad) thinks he can win outright (Fisher, 2013). It is in the light of this that United Nations Special Envoy to Syria, Staffan de Mistura, has urged the world to listen more closely to Russia on the four-year long crisis that has cost more than 210,000 lives and fuelled an unprecedented growth of Islamist extremism that has spread across the Middle East, stressing that Russia not only has influence on Damascus but also a good knowledge of how the Syrian system works and the way the people there think as the relationship between the duo dates back to the period when Bashar al-Assad's father was in power (Halliburton, 2015).

Notwithstanding the role being played by the two major global actors (Russia and US), some pertinent questions deserve consideration here: Are there other influential actors involved in this crisis, especially at the regional level? If there are, would the exit of Russia and US put an end to their involvement in the Syrian cataclysm? From the Russian perspective, Iran and Saudi Arabia as two influential regional actors that must be involved in any discussion aimed at finding a solution to the Syrian debacle. As noted by the Russian Ambassador to the United Nations, Vitaly Churkin, the collapse of preceding rounds of negotiations on Syria was occasioned by the absence of key regional players, especially Iran (Churkin, 2014). The importance of involving Iran and Saudi Arabia had earlier been emphasized by Russian Foreign Minister, Sergei Lavrov, when he declared that it will be a great mistake to exclude the duo from any future discussions

on the Syrian crisis, stressing that all Syrian neighbours without exception should be represented at the negotiating table (Churkin, 2014).

With mention being made of Iran and Saudi Arabia, let us x-ray the involvement of the two states in the lingering Syrian upheaval. Well before the recent crisis in Syria, Iran has been Syria's key ally in the Middle East, bound together by religion and strategy. From the religious dimension, Iran remains the most populous Shiite Muslim nation in the world and Assad's Alawites is an offshoot of Shiite. This religious affinity has brought the two countries together for a long period of time such that during the Iran-Iraq war that lasted for eight years, Syria was the only Arab ally that stood by Iran (Yan, 2013). Arising from this common religious background, the last thing Iran would condone is a Syria dominated by the Sunnis. This is more so as the opposition groups are backed by Iran's Persian Gulf rivals, Saudi Arabia and Qatar (Yan, 2013). In terms of military strategy, Syria serves as the main conduit through which Iran supplies weapons to Hezbollah, considered as the most Shiite militia in Lebanon, fighting alongside Syrian government forces as well as serving as the proxy through which Iran can threaten Israel (Syria's arch enemy) with an arsenal of short-range missiles (Manfreda, 2014; Yan, 2013). As the Syrian uprising morphed into resistance, Iran, in its interest to ensure that al-Assad remains in power, has provided significant support in the area of intelligence, communication, advice on crowd control and weapons (Yan, 2013).

For Saudi Arabia, after the 2003 US-led intervention in Iraq, positive relations between Saudi Arabia and Syria began to loosen speedily. Confronted with Iran's increasing regional clout, the ascendancy to power of a Shiite government in Iraq with close links to Iran unsettled Riyadh, making it exceedingly difficult to accommodate the interests of Assad-led regime supported by Iran (Manfreda, 2014). Manfreda (2014) has identified two major flashpoints that have drawn Assad into an unavoidable clash with Saudi Arabia: One is that Syria is the main channel for the flow of weapons from Iran to Lebanese militia, Hezbollah, hence, it is anticipated that the fall of Assad regime would cut back on Hezbollah's access to weapons and significantly boost the influence of Saudi-backed Lebanese groups opposed to Hezbollah. Two, refers to the activities of Syria in Palestine. By tradition, Syria has supported radical Palestinian groups such as Hamas, who are averse to dialogue with Israel, while Saudi Arabia supports the rival Fatah of Palestinian President Mahmoud Abbas, who advocate peace talks with Israel. At the outburst of the Syrian unrest following the Arab Spring, Riyadh, prompted by decades long craving to sever the alliance between Syria and Iran, saw an opportunity to use its oil wealth to arm the Syrian rebels, hoping to replace the Assad regime with a friendly government in the event that the former collapses (Manfreda, 2014).

With the foregoing background information on the activities of Iran and its major contender for regional dominance, Saudi Arabia, is it possible that the withdrawal of the

two dominant global actors in the Syrian uprising would affect these two countries (Iran and Saudi Arabia) in the same direction or will they behave differently? The withdrawal of US and Russia (two permanent members of the UN Security Council) from the conflict in Syrian will undoubtedly send a strong signal to all their allies both within the Middle East region and beyond that any form of support to either of the parties to the dispute will not be welcome. The success recorded by the US over the Suez Canal crisis of 1956 involving Britain, France and Israel on one side and Egypt on the other side underscores this position. In this particular incident, the US was able to pressure Britain and France (who had earlier used their veto to prevent the ceasefire called for by the UN Security Council) from intervening in Egypt and getting rid of Nasser after he nationalized the Suez Canal under the pretext of warding off a threat to the Canal in the event that Israel, instigated by both invaded Egypt (Nye, 2003).

The activities of the two key regional actors, Iran and Saudi Arabia competing for dominance in the Persian Gulf and the wider Middle East can easily come under check. For instance, the US can leverage on its long term relationship with Saudi Arabia to reign in the later and other Arab countries such as Turkey and Qatar while Russia can ride on the strategic partnership between it and Iran to curtail the latter's involvement in the crisis. It is on record that Iran's first nuclear power reactor Bushehr 1 reactor which is at the centre of frosty relationship between Tehran and Washington, was completed by the Russian Ministry of Atomic Energy (Minatom) in addition to the new deal to broaden military cooperation between the two countries underscores the depth of the relationship between Moscow and Tehran.

In addition, the exit of the great powers will also create a common platform for the UN Security Council to chart a common front towards ending the Syrian crisis as this had hitherto hindered all efforts in that direction. Most importantly, it will foster the consensus required by the UN Security Council to enforce the Responsibility to Protect (RtoP or R2P) the Syrian population from genocide, war crimes, crimes against humanity and ethnic cleansing including the incitement of these groups by any group, be it state or non state actors. It is recorded that a meeting of the permanent members of the UN Security Council on the Syrian catastrophe ended less than an hour after being organized by Russia, a staunch ally of the Assad regime (Pace & Matthew, 2013). Suffice it to state that some analysts are of the view that the belated action by regional actors such as the League of Arab State and the Gulf Cooperation has hampered the Syrian peace process, nevertheless, a major obstacle on the way of securing peace is the failure of the UN Security Council of which Russia and US are permanent members enjoying veto powers, to reach a compromise on decisive action to end the conflict.

## **6. Conclusion**

This paper has attempted to explain how the popular Arab Spring that started in Tunisia and swept through Egypt and Libya triggered a peaceful protest and the subsequent escalation of this demonstration to a full-scale civil war as a result of bloody crackdown on protesters by Syrian security forces and how the battle of wigs between the US and Russia has exacerbated rather than ameliorated the situation. The inherent contradictions in the handling of the Syrian catastrophe by the two great powers raise serious doubt as to their avowed commitment in finding a lasting solution to the Syrian crisis given that none of them is willing to sacrifice its foreign policy objective and national security interest on the altar of win-win settlement option acceptable to the key actors in the long drawn civil war. It further casts doubt as to the prospect of external parties other than Syrians to nip the conflict in the bud.

The botched attempts at using UN Security Council to resolve the Syrian quagmire due to lack of consensus among its members as illustrated in the veto of its western-backed resolutions by Russia and China as well as the inability of the Office of the Secretary General on the Prevention of Genocide and on the Responsibility to Protect to assume the responsibility of protecting the Syrian population against war crimes and crimes against humanity, underscores the urgent need for the Assad led Syrian government to gear up to the challenge of resolving this impasse. While it thus appears late however, it is better than never as Bashar al-Assad ought to learn a lesson from the attendant consequences and far-reaching repercussions on both the personality and the entire country occasioned by the intransigence of Egypt's Mubarak, Libya's Ghadafi in the aftermath of widely celebrated Arab Spring.

Leadership also entails sacrifice. To avert further bloodletting, it will be patriotic and states manly for Assad to step down, paving the way for the formation of an all inclusive transitional government of national unity that will initiate the process of national reconciliation and reconstruction. In the interest of Syria and its people, Assad should emulate the immediate past Iraqi Prime Minister, Nouri al-Maliki who accepted the candidacy of Haider al-Abadi and stepped down after he was rejected by the stakeholders to save his country from political turmoil. Also worthy of emulation is the humanitarian spirit exhibited by former interim Vice President of Egypt, Mohamed ElBaradei, who quit the Egyptian government amid use of force by security forces against members of the Muslim Brotherhood protesting the ouster of President Mohamed Morsi after declaring that he (Mohamed ElBaradei) cannot account for one Egyptian blood.

Assad should strive to read and heed the lesson of history by relinquishing power as the prevailing mood in Syria today does not favour his continued hold on power. This is where Yolamu Barongo's actors' perception, interpretation and response to environmental stimuli as one of the tripartite determinants of the nature of political life, the

type of institutions that are created and sustained and the peculiar patterns of political processes that emerge in any given society become instructive.

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